

Getting Back to Business COVID-19 Guide



















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Phone Numbers

Business Resources - See Page #38

Local

- Horry County Emergency Management 843-915-5000
- Help from United Way 211

Health

- DHEC Care Line 1-855-472-3432
- McLeod Seacoast 843-390-8100
- Tidelands Health 1-866-249-958-691
- Little River Medical Center (843) 663-8000
- MUSC Health Screenings 843-792-7000
- Center for Disease Control 1-800-232-4636

Mental Health & Help

- NAMI HelpLine: Call (800) 950-NAMI (6264) Monday through Friday between 10:00 am and 6:00 pm ET for mental health resources or email info@nami.org
- <u>Crisis Text Line</u>: Text "NAMI" to 741741 to chat with a trained crisis counselor Free 24/7 text line for those in crisis
- <u>SAMHSA Disaster Distress Helpline</u> (24/7 crisis counseling and support to people experiencing emotional distress related to disasters): Call (800) 985-5990.
- <u>National Suicide Prevention</u> Lifeline: Call (800) 273-TALK (8255) If you or someone you know is in crisis—whether they are considering suicide or not—please call the toll-free Lifeline to speak with a trained crisis counselor 24/7
- The Trevor Project Resources (suicide prevention, for LGBTQ youth and their friends, & more): Call (866) 488-7386, Instant Message a counselor on their website, or text "START" to 678678 (24/7).
- <u>Trans LifeLine</u>: a trans-led organization that connects trans individuals to support, community and a variety of resources Call (877) 565-8860 (24/7)
- National Domestic Violence Hotline Call 800-799-7233
- National Sexual Assault Hotline Call 800-656-4673



Excerpt from National Alliance on Mental Illness' COVID-19 Resource & Info Guide

It's common to feel stressed or anxious during this time. It may be especially hard for people who already manage feelings of anxiety or emotional distress. For example, for those of us with obsessive-compulsive disorder (OCD), public health recommendations about contamination and hand washing may make it more difficult to manage our Symptoms.

Recognizing how you're feeling can help you care for yourself, manage your stress and cope with difficult situations. Even when you don't have full control of a situation, there are things you can do.

Below we describe how to stay informed, take action, maintain healthy social connections and find resources for support.

Manage how you consume information

Equip yourself with information from credible, reputable sources such as the Centers for Disease Control (CDC) and the World Health Organization (WHO). See "Basic information" section for more links.

Be selective about how you consume news. It's generally a good idea to stay engaged and informed. Having some limits on your news consumption can help:

- Watching or listening to the same news constantly can increase stress. Reading can be an easier medium to control how much and what kind of information you're absorbing.
- Set limits on when and for how long you consume news and information, including through social media. It may help you to choose a couple of fifteen-minute blocks each day when you will check news/social media and limit your news consumption to that time.
- False information spreads very easily on social media and can have serious consequences for individual and public health. Always verify sources and make sure they are reputable, especially before sharing anything.

Stress & Anxiety (con't)

Follow healthy daily routines as much as possible

Your daily habits and routines can help you feel more in control of your own well-being.

Even simple actions can make a difference:

- Make your bed
- Get dressed
- Connect with loved ones
- Move your body
- Make time for breaks
 - If possible, take regular short breaks during work or between shifts. During these breaks, go outside and engage in physical activity if you can.
- Practice good hygiene, especially by cleaning your hands
- Prioritize sleep and practice. (tips)
 - o Getting enough regular sleep is critical for your immune system
- Eat nutritious food as much as possible, especially fruits and vegetables

Take care of yourself through exercise and movement

If you're staying home, you may be less physically active than usual. It's important to keep movement as part of your daily life, whether it's exercise or light movement like stretching and making sure you're not sitting down too long.

Exercise is a great way to care for your body. It is a powerful way to improve both your physical and mental health. Research suggests that when we exercise, our brain releases chemicals that help us better manage stress and anxiety.

Find out more about the link between exercise and mental health:

- Exercise, brain health and mental health
- Managing stress with exercise

There are many different ways to exercise. Many of them are free, don't require any equipment and can be done at home. Most people can find an exercise routine that fits their needs and abilities. If you don't typically exercise or have health concerns, you may want to talk with your primary care provider before starting a new activity.

Some ideas of how to move more: go for a walk, do some stretches, etc. You can also find videos online, through local gyms/fitness centers like <u>Fit Body Boot Camp</u>, <u>Gymnastics & More</u>, or on <u>YouTube</u>.

Stress & Anxiety (con't)

Practice relaxing in the present moment

Mindfulness is a way of practicing awareness that can reduce your stress. It involves focusing your attention on the present moment and accepting it without judgment. It may also help people manage some mental health symptoms.

Many medical organizations support mindfulness as a research-based way to lower your stress and boost your physical and emotional health. <u>Tips for Mindfulness & Coping with Anxiety</u>

There are lots of online resources about mindfulness, meditation, breathing exercises and more. Some organizations, including yoga studios, offer free classes online as well. Grounding exercises can help you notice the sights, sounds, smells and sensations around you rather than being absorbed in your thoughts.

Meditation

- There are many types of meditation, but in general, they involve finding a quiet, comfortable place where you can observe your thoughts and focus on your breath. Meditation can help you feel calmer and more relaxed.
- According to the National Institutes of Health, "Some research suggests that
 practicing meditation may reduce blood pressure, symptoms of irritable bowel
 syndrome, anxiety and depression, and insomnia."
- Download a guided meditation app on your phone
- Breathing exercises can help calm your body and your mind. These exercises
 often involve controlling and slowing your breath. They may be especially
 helpful in managing feelings of anxiety and panic.
 - o <u>Diaphragmatic</u> breathing exercise
 - Box Breathing

Do meaningful things with your free time

When you can, do things that you enjoy and that help you relax.

- Read a book/listen to an audiobook. Many public libraries' websites offer free audiobooks.
- Learn a new skill
- Create art—draw, build something, etc.
- Journal or write
- Play puzzles or games
- Take an online course—various free online courses available
- Do tasks around your home. Organize, do crafts, garden, rearrange your living space.
- Cook something new with ingredients you have at home

Stress & Anxiety (con't)

Stay connected with others and maintain your social networks

Physical distancing (also called social distancing) can change how you usually interact with people you care about. Doing this is essential to lessening the impact of COVID-19.

There are many ways you can build a feeling of connection, even if you can't see people in person or go places you usually would:

- Make sure you have the phone numbers and emails of close friends and family
- Stay connected via phone, email, social media and video calls
- Offer to help others if you can
- Ask for help when you need it
- Share how you're feeling with people you trust
- Regularly call, text or email with family and friends who may have more limited social contact—elderly people, those with disabilities, those who live alone, those who are quarantined or at high risk because of chronic health conditions
- If talking about COVID-19 is affecting your mental health, set boundaries with people about how much and when talk you about COVID-19. Balance this with other topics you'd usually discuss.
- If you are living with other people, communicate expectations about how to live well together while staying home
- Do virtual activities together
 - Plan virtual dinners and coffee breaks
 - Do at-home crafts and activities over a video call
 - Watch a virtual concert together
 - Read the same book or watch the same movie/TV show and talk about it
 - o Play online multi-player video games
 - o Join an online exercise class

Find a mental health community

Being in contact with people who can relate to your experiences can be helpful. It can help you learn information, find resources that suit you and feel supported by people who understand.

- Online & Telephone Support Groups
 - o Or see page 10 of this document
- <u>Warmline directory</u>: Non-crisis, emotional and preventive care support over the phone
- Connecting with a spiritual or religious community can be helpful to find strength and consolation in times of distress, loss, grief and bereavement.



Adapted from <u>SBA</u>

Here are the issues we know you are facing & hope to help with via this eBook. Some of you are already ahead and handling the situation very well. Thank you. Don't forget to share your tips & help where you can.

Capital Access – Incidents can strain a small business's financial capacity to make payroll, maintain inventory and respond to market fluctuations (both sudden drops and surges in demand). Step: Prepare by exploring and testing your capital access options so you have what you need when you need it. See SBA's capital access resources or Page #38 for COVID-19 options..

Workforce Capacity - Incidents have just as much impact on your workers as they do your clientele. It's critical to ensure they have the ability to fulfill their duties while protected. Step: Many businesses are already doing a great job of distancing people by: putting tape on the ground to mark where customers should wait, signage to let customers know only how many people are allowed in at a time, erecting barriers in between customers & checkout or other staff, offering curbside or delivery options, and altering store hours. More here

Inventory and Supply Chain Shortfalls – It is a prudent preparedness measure to ensure you have either adequate supplies of inventory for a sustained period and/or diversify your distributor sources in the event one supplier cannot meet an order request. Step: Stay in communication with suppliers, know your inventory, limit high demand items to 1-2 per customer, find temporary creative solutions or substitutions, or re-direct customers to stores with more supply.

Facility Remediation/Clean-up Costs – Depending on the incident, there may be a need to enhance the protection of customers and staff by increasing the frequency and intensity by which your business conducts cleaning of surfaces frequently touched by occupants and visitors. Step: Check your maintenance contracts and supplies of cleaning materials to ensure they can meet increases in demand. Consider hiring temporary employees to take on the additional workload.

Current Issues (con't)

Insurance Coverage Issues – Many businesses have business interruption insurance; *Step*: Now is the time to contact your insurance agent to review your policy to understand precisely what you are and are not covered for in the event of an extended incident.

Changing Market Demand – Depending on the incident, there may be access controls or movement restrictions established which can impede your customers from reaching your business. Additionally, with the stay at home order & other concerns, people may decide not to go to your business out of concern of exposing themselves or others to greater risk. *Step*: See Page #38 for local contact info for SBA, SBDC, and SCORE who have access to trained experts who can help you craft a plan specific to your situation to help navigate any rapid changes in demand.

Marketing – It's critical to communicate openly with your customers about the status of your operations, what protective measures you've implemented, and how they (as customers) will be protected when they visit your business. *Step*: Update as many channels as possible (phone message, website, social media, emails, etc.) with what you're doing different or what's changed - not just that you're open. Promotions may also help incentivize customers who may be reluctant to patronize your business.

Plan – As a business, bring your staff together and prepare a plan for what you will do if the incident worsens or improves. *Step*: Have an idea of what you need to do now, and how you'll respond/adapt to further changes. Keep your employees informed on what they need to do, and what you might do. They are your biggest asset. This will greatly help your response time & transitioning as smoothly as possible.

Coronavirus Preparedness and Response Supplemental Appropriations Act

By <u>US Chamber</u>

What is it?

Signed into law on March 6, The Coronavirus Preparedness and Response Supplemental Appropriations Act provides \$8.3 billion in emergency funding for federal agencies to respond to the coronavirus outbreak, enabling the U.S. Small Business Administration to offer \$7 billion in disaster assistance loans to small businesses impacted by COVID-19.

What does it mean for small business?

- The SBA is offering designated states and territories low-interest federal disaster loans to small businesses suffering substantial economic harm as a result of the coronavirus.
- These loans may be used by small businesses to pay fixed debts, payroll, accounts payable and additional bills that can't be paid because of COVID-19's impact. The interest rate is 3.75% for small businesses without other available means of credit. The interest rate for non-profits is 2.75%. Businesses with credit available elsewhere are not eligible.
- The SBA loans come with long-term repayments, up to a maximum of 30 years, in an effort to keep payments affordable. Loan terms are determined on a case-by-case basis, according to individual borrower's ability to repay.
- The SBA has amended its disaster loan criteria to help borrowers still paying back SBA loans from previous disasters. By making this change, deferments through December 31, 2020, will be automatic. Hence, borrowers of home and business disaster loans do not have to contact SBA to request deferment.

Business tax changes - CARES Act

By US Travel Association

The CARES Act makes select changes to taxes and tax policies in order to ease the burden on businesses impacted by COVID-19. These changes include:

- Net operating loss relief for corporations. Allows taxpayers to carryback 2018, 2019, and/or 2020 net operating losses for five years. The NOL can fully offset prior years' taxable income and result in a refund. Taxpayers can elect not to utilize the NOL carryback provision for any or all years. (Sec. 2303)
- Net operating loss relief for taxpayers other than corporations. Allows pass-through businesses and sole proprietors to retroactively turn off the excess active business loss limitation rule implemented with Tax Cuts and Jobs Act (TCJA) by amending the provision to apply to tax years beginning after December 31, 2020 (rather than December 31, 2017). (Sec. 2304)
- Interest deductibility relief. Increases the section 163(j) interest income deductibility limitation from 30%to 50% of earnings before interest, income, taxes, depreciation and amortization (EBITDA) for 2019 and 2020. Taxpayers may also elect to use 2019 income numbers for purposes of computing 2020 interest deductibility limitation. Includes election permitting taxpayers to not apply the provision for 2019 and/or 2020. (Sec. 2306)
- **Payroll tax deposit delay for employers.** Allows employers to defer 100% of their 6.2% Social Security payroll taxes for the remainder of 2020, with 50% of deferred tax due on December 31, 2021 and the remaining 50% due on Dec. 31, 2022. (Sec. 2302)
- **Employee retention tax credit.** Refundable payroll tax credit for 50% of wages paid by eligible employers to certain employees during the COVID-19 crisis to encourage businesses to keep workers on payroll during the crisis. The credit is available to employers, whose operations have been fully or partially suspended as a result of a government order limiting commerce, travel or group meetings. The credit is also provided to employers who have experienced a greater than 50% reduction in quarterly receipts, measured on a year-over-year basis. (Sec. 2301)
- Exclusion for certain employer payments of student loans. Enables employers to annually pay up to \$5,250 of its employee's student loans on a tax-free basis to the employee. The employer's loan payment is not included in the employee's income. (Sec. 2206)
- **Alternative Minimum Tax (AMT) refunds.** Allows taxpayers to accelerate the refund of remaining corporate AMT credits. (Sec. 2305)
- Charitable Deductions. For corporations, increases the 10% limitation to 25% of taxable income. (Sec. 2205)
- Qualified Improvement Property (QIP). Fixes the QIP a/k/a the "Retail Glitch" by permitting businesses to immediately expense interior building improvements. The provision is retroactive to December 22, 2019 and will provide billions of dollars of tax refunds to restaurants and other retailers that have improved their establishments over the last several years. Restaurant and other retailer property improvements will be fully benefit from the expensing provisions on a going forward basis. (Sec. 2307)

Sick and Family Leave

Credit for Sick and Family Leave - An employee who is unable to work (including telework) because of coronavirus quarantine or self-quarantine or has coronavirus symptoms and is seeking a medical diagnosis, is entitled to paid sick leave for up to ten days (up to 80 hours) at the employee's regular rate of pay, or, if higher, the Federal minimum wage or any applicable State or local minimum wage, up to \$511 per day, but no more than \$5,110 in total.

Caring for someone with Coronavirus - An employee who is unable to work due to caring for someone with coronavirus, or caring for a child because the child's school or place of care is closed, or the paid child care provider is unavailable due to the coronavirus, is entitled to paid sick leave for up to two weeks (up to 80 hours) at two-thirds the employee's regular rate of pay or, if higher, the Federal minimum wage or any applicable State or local minimum wage, up to \$200 per day, but no more than \$2,000 in total.

Care for children due to daycare or school closure - An employee who is unable to work because of a need to care for a child whose school or place of care is closed or whose child care provider is unavailable due to the coronavirus, is also entitled to paid family and medical leave equal to two-thirds of the employee's regular pay, up to \$200 per day and \$10,000 in total. Up to ten weeks of qualifying leave can be counted towards the family leave credit.

Credit for eligible employers - Eligible employers are entitled to receive a credit in the full amount of the required sick leave and family leave, plus related health plan expenses and the employer's share of Medicare tax on the leave, for the period of April 1, 2020, through December 31, 2020. The refundable credit is applied against certain employment taxes on wages paid to all employees.

Employee Retention Credit

Eligible employers can claim the employee retention credit, a refundable tax credit equal to 50 percent of up to \$10,000 in qualified wages (including health plan expenses), paid after March 12, 2020 and before January 1, 2021. Eligible employers are those businesses with operations that have been partially or fully suspended due to governmental orders due to COVID-19, or businesses that have a significant decline in gross receipts compared to 2019.

The refundable credit is capped at \$5,000 per employee and applies against certain employment taxes on wages paid to all employees. Eligible employers can reduce federal employment tax deposits in anticipation of the credit. Click here for details.

Prepared by the U.S. CHAMBER OF COMMERCE

CORONAVIRUS PAID LEAVE PROGRAMS Employer Guide

The Families First Coronavirus Response Act created new temporary paid sick leave and paid Family and Medical Leave Act (FMLA) programs that are 100% reimbursable by the federal government. The effective date of both programs is April 1 and they expire on December 31.

Both programs are in addition to any leave you already offer.



The key numbers to remember with these paid leave programs are **500** and **50**.

- If you have fewer than 500 employees, your business is required to provide paid leave under both programs
- If you have fewer than 50 employees, though, you may be exempted from the requirement to provide leave under both programs (see p. 2)

The Department of Labor has issued clarifying guidance (available at **www.dol.gov/agencies/whd/pandemic**) and will continue to publish more information. In the meantime, here is the information you need to know now.

PAID SICK LEAVE

Program

Which employees are eligible?

Eighty hours of paid sick leave is available to any employee without regard to duration of employment if they are unable to work or telework because they:

- are subject to a government quarantine or isolation order;
- have been advised to self-quarantine;
- are seeking a medical diagnosis; or
- are caring for someone with one of those three conditions.

Leave can also be taken if an individual cannot work or telework because of a need to care for a child whose school has closed or whose regular caregiver is unavailable because of Coronavirus.

How much will employees receive?

While taking paid sick leave, employees will receive their regular rate of pay up to a maximum of \$511 per day or \$5,110 in the aggregate.

This is reduced to 2/3 their regular rate of pay if they are caring for a family member or child whose school is closed or caregiver is unavailable with a maximum of \$200 per day (or \$2,000 in aggregate).

FAMILY and MEDICAL LEAVE ACT Program



Which employees are eligible?

To be eligible for paid FMLA leave, an employee must have been on your payroll for 30 days prior to taking leave. In addition, paid FMLA leave is only available if an employee is unable to work or telework because of a need to take care of a child because of a school closure or their regular child care provider is unavailable due to Coronavirus.

How much will employees receive?

Eligible employees may take up to 12 weeks of leave.

- The first two weeks of that can be unpaid (presumably the employee would be covered under paid sick-leave for those two weeks)
- After that, the employee is eligible for 10 weeks of paid FMLA

While taking paid FMLA leave, the employee will receive 2/3 of his/her regular rate of pay up to a maximum of \$200 per day (or \$10,000 in aggregate).

For more guidance, please click here to visit the IRS website.

Restoration to Previous Position: For businesses with fewer than 25 employees, it is not necessary to restore the employee to his/her previous position after paid FMLA leave is taken if the position no longer exists because of the public health emergency and the employer makes reasonable efforts to restore the employee to a similar position.

EXEMPTIONS

What if I have fewer than 50 Employees... Am I exempt?

Under current Department of Labor guidance, you can be exempt only if leave is being requested because of a school closure or because the child's regular caregiver is unavailable due to Coronavirus and if this leave would jeopardize the viability of the small business as a going concern.

This exemption is available if an authorized officer of the business certifies that at least one of the following is true:

- Providing leave would result in expenses and financial obligations exceeding existing revenues and cause the business to cease operating
- The absence of the employee would entail a substantial risk to the operation
 of the business because of their specialized skills, knowledge of the business,
 or responsibilities
- You cannot find other workers to perform the work of the employee, and that work is required for the business to operate at a minimal capacity

What if I am in the health care business... Am I exempt?

Businesses whose employees are healthcare providers or emergency responders may elect to exclude such employees from paid sick leave and paid FMLA leave.

The definition is fairly broad. Visit www.dol.gov/agencies/whd/pandemic/ffcra-questions for specific definitions of those terms.

Do I have to provide paid sick or paid FMLA leave if my business is closed?

No. If you close due to a lack of business or because of a federal, state, or local directive, you do not have to provide paid leave. In this case your employees would likely be eligible for unemployment compensation. This is the case whether you lay off or furlough employees.

REIMBURSEMENT



How will my business be reimbursed for this leave?

Costs associated with the paid sick and paid family leave programs are 100% reimbursable by the federal government through a refundable tax credit up to the maximum wages allowed (e.g. \$511 or \$200 per day), which is also applicable to the self-employed.

 The Treasury Secretary is provided with regulatory authority to help with cash flow issues, for example by waiving penalties for failing to deposit payroll taxes in anticipation of the credit and by providing advances to employers

For questions, please call the Department of Labor help line at (866)487-9243 (866-4US-WAGE).

Small Business Owner's Quick Guide to the CARES Act

By the SC Dept. of Commerce

The programs and initiatives in the Coronavirus Aid, Relief, and Economic Security (CARES) Act that was just passed by Congress are intended to assist business owners with whatever needs they have right now. When implemented, there will be many new resources available for small businesses, as well as certain nonprofits and other employers. This guide provides information about the major programs and initiatives that will soon be available from the Small Business Administration (SBA) to address these needs, as well as some additional tax provisions that are outside the scope of SBA.

To keep up to date on when these programs become available, please stay in contact with your local Small Business Administration (SBA) District Office, which you can locate here.

Struggling to get started? The following questions might help point you in the right direction. Do you need:

- Capital to cover the cost of retaining employees? Then the Paycheck Protection Program might be right for you.
- A quick infusion of a smaller amount of cash to cover you right now? You might want to look into an Emergency Economic Injury Grant.
- To ease your fears about keeping up with payments on your current or potential SBA loan? The Small Business Debt Relief Program could help.
- Just some quality, free counseling to help you navigate this uncertain economic time? The resource partners might be your best bet.

Prepared by the U.S. CHAMBER OF COMMERCE

CORONAVIRUS EMERGENCY LOANS Small Business Guide and Checklist



The Coronavirus Aid, Relief, and Economic Security (CARES) Act allocated \$350 billion to help small businesses keep workers employed amid the pandemic and economic downturn. Known as the Paycheck Protection Program, the initiative provides 100% federally guaranteed loans to small businesses.

Importantly, these loans may be forgiven if borrowers maintain their payrolls during the crisis or restore their payrolls afterward.

The administration soon will release more details including the list of lenders offering loans under the program. In the meantime, the U.S. Chamber of Commerce has issued this guide to help small businesses and self-employed individuals prepare to file for a loan.

Here are the questions you may be asking—and what you need to know.

1 Am I ELIGIBLE?

You are eligible if you are:

- A small business with fewer than 500 employees
- · A small business that otherwise meets the SBA's size standard
- A 501(c)(3) with fewer than 500 employees
- · An individual who operates as a sole proprietor
- · An individual who operates as an independent contractor
- An individual who is self-employed who regularly carries on any trade or business
- A Tribal business concern that meets the SBA size standard
- A 501(c)(19) Veterans Organization that meets the SBA size standard

In addition, some special rules may make you eligible:

- If you are in the accommodation and food services sector (NAICS 72), the 500-employee rule is applied on a per physical location basis
- If you are operating as a franchise or receive financial assistance from an approved Small Business Investment Company the normal affiliation rules do not apply

REMEMBER: The 500-employee threshold includes all employees: full-time, part-time, and any other status.



What will lenders be LOOKING FOR?

In evaluating eligibility, lenders are directed to consider whether the borrower was in operation before February 15, 2020 and had employees for whom they paid salaries and payroll taxes or paid independent contractors.

Lenders will also ask you for a good faith certification that:

- The uncertainty of current economic conditions makes the loan request necessary to support ongoing operations
- The borrower will use the loan proceeds to retain workers and maintain payroll or make mortgage, lease, and utility payments
- 3. Borrower does not have an application pending for a loan duplicative of the purpose and amounts applied for here
- 4. From Feb. 15, 2020 to Dec. 31, 2020, the borrower has not received a loan duplicative of the purpose and amounts applied for here (Note: There is an opportunity to fold emergency loans made between Jan. 31, 2020 and the date this loan program becomes available into a new loan)

If you are an independent contractor, sole proprietor, or self-employed individual, lenders will also be looking for certain documents (final requirements will be announced by the government) such as payroll tax filings, Forms 1099-MISC, and income and expenses from the sole proprietorship.



What lenders will NOT LOOK FOR

- That the borrower sought and was unable to obtain credit elsewhere.
- A personal guarantee is not required for the loan.
- No collateral is required for the loan.

How much can I BORROW?

Loans can be up to 2.5 x the borrower's average monthly payroll costs, not to exceed **\$10 million**.

How do I calculate my average monthly PAYROLL COSTS?











- For Employers: The sum of payments of any compensation with respect to employees that is a:
 - · salary, wage, commission, or similar compensation;
 - · payment of cash tip or equivalent;
 - · payment for vacation, parental, family, medical, or sick leave
 - · allowance for dismissal or separation
 - payment required for the provisions of group health care benefits, including insurance premiums
 - · payment of any retirement benefit
 - payment of state or local tax assessed on the compensation of the employee
- 2. For Sole Proprietors, Independent Contractors, and Self-Employed Individuals: The sum of payments of any compensation to or income of a sole proprietor or independent contractor that is a wage, commission, income, net earnings from self-employment, or similar compensation and that is in an amount that is not more than \$100,000 in one year, as pro-rated for the covered period.

EXCLUDED Payroll Cost:

- Compensation of an individual employee in excess of an annual salary of \$100,000, as prorated for the period February 15, to June 30, 2020
- 2. Payroll taxes, railroad retirement taxes, and income taxes
- 3. Any compensation of an employee whose principal place of residence is outside of the United States
- 4. Qualified sick leave wages for which a credit is allowed under section 7001 of the Families First Coronavirus Response Act (Public Law 116– 5 127); or qualified family leave wages for which a credit is allowed under section 7003 of the Families First Coronavirus Response Act



NON SEASONAL EMPLOYERS:

Maximum loan =

2.5 X Average total monthly payroll costs incurred during the year prior to the loan date

For businesses not operational in 2019:

2.5 X Average total monthly payroll costs incurred for January and February 2020

SEASONAL EMPLOYERS:

Maximum loan =

2.5 X Average total monthly payments for payroll costs for the 12-week period beginning February 15, 2019 or March 1, 2019 (decided by the loan recipient) and ending June 30, 2019

4

Will this loan be FORGIVEN?

Borrowers are eligible to have their loans forgiven.

How Much?

A borrower is eligible for loan forgiveness equal to the amount the borrower spent on the following items during the 8-week period beginning on the date of the origination of the loan:

- Payroll costs (using the same definition of payroll costs used to determine loan eligibility)
- Interest on the mortgage obligation incurred in the ordinary course of business
- Rent on a leasing agreement
- Payments on utilities (electricity, gas, water, transportation, telephone, or internet)
- For borrowers with tipped employees, additional wages paid to those employees

The loan forgiveness cannot exceed the principal.

How could the forgiveness be reduced?

The amount of loan forgiveness calculated above is reduced if there is a reduction in the number of employees or a reduction of greater than 25% in wages paid to employees. Specifically:

Reduction based on reduction of number of employees

WHAT'S NEXT?

Look out for more information about eligible lenders and additional guidance from the SBA soon.

For more guidance and resources for small businesses, visit uschamber.com/co



PAYROLL COST Calculated on page 2



Average Number of Full-Time Equivalent Employees (FTEs) Per Month for the 8-Weeks Beginning on Loan Origination



Option 1:

Average number of FTEs per month from February 15, 2019 to June 30, 2019

Option 2:

Average number of FTEs per month from January 1, 2020 to February 29, 2020

For Seasonal Employers:

Average number of FTEs per month from February 15, 2019 to June 30, 2019

Reduction based on reduction in salaries



PAYROLL COST Calculated on page 2



For any employee who did not earn during any pay period in 2019 wages at an annualized rate more than \$100,000, the amount of any reduction in wages that is greater than 25% compared to their most recent full quarter.

What if I bring back employees or restore wages?

Reductions in employment or wages that occur during the period beginning on February 15, 2020, and ending 30 days after enactment of the CARES Act, (as compared to February 15, 2020) shall not reduce the amount of loan forgiveness **IF** by June 30, 2020 the borrower eliminates the reduction in employees or reduction in wages.

Paycheck Protection Program (PPP) FAQs for Small Businesses

From the <u>SBA</u> & <u>US Senate Committee on Small Business & Entrepreneurship</u>

Where can I apply for the Paycheck Protection Program? See Page #38 for list of Local Lenders

When is the application deadline for the Paycheck Protection Program? Applicants are eligible to apply for the PPP loan until June 30th, 2020.

Who is eligible for the loan?

- Any small business concern that meets SBA's size standards (either the industry based sized standard or the alternative size standard)
- Any business, 501(c)(3) non-profit organization, 501(c)(19) veterans organization, or Tribal business concern (sec. 31(b)(2)(C) of the Small Business Act) with the greater of:
 - o 500 employees, or
 - That meets the SBA industry size standard if more than 500
- Franchise or Multiple Locations: Any business with a NAICS Code that begins with 72 (Accommodations and Food Services) that has more than one physical location and employs less than 500 per location
- Sole proprietors, independent contractors, and self-employed persons

I am an independent contractor or gig economy worker, am I eligible?

Yes. Sole proprietors, independent contractors, gig economy workers, and self-employed individuals are all eligible for the Paycheck Protection Program.

Am I responsible for interest on the forgiven loan amount?

No, if the full principal of the PPP loan is forgiven, the borrower is not responsible for the interest accrued in the 8-week covered period. The remainder of the loan that is not forgiven will operate according to the loan terms agreed upon by you and the lender.

Paycheck Protection Program FAQs (cont'd)

What is the maximum amount I can borrow?

The amount any small business is eligible to borrow is 250% of their average monthly payroll expenses, up to a total of \$10 million. This amount is intended to cover 8 weeks of payroll expenses and any additional amounts for making payments towards debt obligations. This 8 week period may be applied to any time frame between February 15, 2020 and June 30, 2020. Seasonal business expenses will be measured using a 12-week period beginning February 15, 2019, or March 1, 2019, whichever the seasonal employer chooses.

How can I use the money such that the loan will be forgiven?

The amount of principal that may be forgiven is equal to the sum of expenses for payroll, and existing interest payments on mortgages, rent payments, leases, and utility service agreements.

Payroll costs include employee salaries (up to an annual rate of pay of \$100,000), hourly wages and cash tips, paid sick or medical leave, and group health insurance premiums. If you would like to use the Paycheck Protection Program for other business-related expenses, like inventory, you can, but that portion of the loan will not be forgiven.

How much of my loan will be forgiven?

The purpose of the Paycheck Protection Program is to help you retain your employees, at their current base pay. If you keep all of your employees, the entirety of the loan will be forgiven.

If you still lay off employees, the forgiveness will be reduced by the percent decrease in the number of employees.

If your total payroll expenses on workers making less than \$100,000 annually decreases by more than 25%, loan forgiveness will be reduced by the same amount.

If you have already laid off some employees, you can still be forgiven for the full amount of your payroll cost if you rehire your employees by June 30, 2020.

When is the loan forgiven?

The loan is forgiven at the end of the 8-week period after you take out the loan. Borrowers will work with lenders to verify covered expenses and the proper amount of forgiveness.

Paycheck Protection Program FAQs (cont'd)

What is the covered period of the loan?

The covered period during which expenses can be forgiven extends from February 15, 2020 to June 30, 2020. Borrowers can choose which 8 weeks they want to count towards the covered period, which can start as early as February 15, 2020.

What are the interest rate and terms for the loan amount that is not forgiven?

The terms of the loan not forgiven may differ on a case-by-case basis. However, the maximum terms of the loan feature a 10-year term with interest capped at 4% and a 100% loan guarantee by the SBA. You will not have to pay any fees on the loan, and collateral requirements and personal guarantees are waived. Loan payments will be deferred for at least six months and up to one year starting at the origination of the loan.

I took out a bridge loan through my state, am I eligible to apply for the Paycheck Protection Program?

Yes, you can take out a state bridge loan and are still be eligible for the PPP loan.

If I have applied for, or received an Economic Injury Disaster Loan (EIDL) related to COVID19 before the Paycheck Protection Program became available, will I be able to refinance into a PPP loan?

Yes. If you received an EIDL loan related to COVID-19 between January 31, 2020 and the date at which the PPP becomes available, you would be able to refinance the EIDL into the PPP for loan forgiveness purposes. However, **you may not take out an EIDL and a PPP for the same purposes**. Remaining portions of the EIDL, for purposes other than those laid out in loan forgiveness terms for a PPP loan, would remain a loan. If you took advantage of an emergency EIDL grant award of up to \$10,000, that amount would be subtracted from the amount forgiven under PPP.

Application Procedures

To be determined: apply for a loan from an existing authorized SBA lender (check your current bank or see Page #38).

SBA Economic Injury Disaster Loan Emergency Advance (EIDL)

From the SBA

Overview

US small business owners are eligible to apply for an Economic Injury Disaster Loan advance of up to \$10,000. This advance will provide economic relief to businesses that are currently experiencing a temporary loss of revenue. Funds will be made available following a successful application. This loan advance will not have to be repaid.

Changes from Cares Act

- EIDLs are now also available to Tribal businesses, cooperatives, and ESOPs with fewer than 500 employees. They are also available to all non-profit organizations, including 501(c)(6)s, and to individuals operating as sole proprietors or independent contractors.
- EIDLs can be approved by the SBA based solely on an applicant's credit score.
- EIDLs that are smaller than \$200,000 can be approved without a personal guarantee.
- Borrowers can receive a \$10,000 emergency grant cash advance that can be forgiven if spent on paid leave, maintaining payroll, increased costs due to supply chain disruption, mortgage or lease payments or repaying obligations that cannot be met due to revenue losses.

Who is eligible for the loan?

- Any small business with less than 500 employees (including sole proprietorships, independent contractors, & self-employed), and affected private non-profit organizations or 501(c)(19) veterans organizations.
- Businesses in certain industries may have more than 500 employees if they meet the <u>SBA's size standards</u> for those industries.
- FAQ Regarding Participation of Faith-Based Organizations in PPP and EIDL

Apply Now

To apply for a COVID-19 Economic Injury Disaster Loan and loan advance, click here.

SBA Express Loans

By US Travel Association

Overview

The CARES Act increases the SBA Express loan amount cap from \$350,000 to \$1 million through Dec. 31, 2020. On Jan. 1, 2021, SBA Express loans will again be capped at \$350,000.

Who Qualifies

General Eligibility

Small Businesses that meet <u>SBA size standards</u>, which are based on a business's average annual receipts or its number of employees, but generally less than 500 employees or \$7,000,000 in annual receipts.

Specific Ineligibility

<u>Ineligible businesses</u> include nonprofit organizations, casinos, government-owned corporations, consumer and marketing cooperatives, firms involved in lending activities, real estate investment companies (businesses that acquire real estate to occupy it are eligible), and firms involved in speculative investments.

Additional Eligibility Requirements (Not Exhaustive):

- Businesses must have been in existence for at least two years.
- Businesses must be able to show a need for financing and the ability to repay (no previous delinquencies on government loans) and must show that the funds will be used for a legitimate business purpose.
- Lenders are not required to take collateral for loans of \$25,000 or less, but may require collateral for loans above \$25,000.

For more information on SBA's 7(a) loans, click here.

SBA Express Loans (con't)

What are the Terms, Conditions, & Amounts of an Express Loan?

General Overview

- Express loans will be offered through local banks: The assistance is provided through a subsidized loan through an authorized lender—provided at the discretion of the lender under the supervision of the SBA.
- Loans must be approved or denied within 36 hours: Under the <u>SBA Express</u>
 <u>Program</u>, the SBA responds to a lender's request for approval of a loan within 36 hours.
- Guarantee fee applies: Most borrowers have to pay a guarantee fee.
- Veteran-owned businesses can receive a waiver of guarantee fees.

Maximum Express Loan Amount

- Capped at \$1 million: Borrowers can receive up to \$1 million per loan, with a
 max interest rate of 11.5% for loans of \$50,000 or less, and 9.5% for loans above
 \$50,000.
- Revolving line of credit available: Loans can be given in the form of revolving lines of credit, with a max term of seven years.
- Loan terms are on a case-by-case basis: The term of the loan is determined on a case-by-case basis, based upon each borrower's ability to repay, but with a max term of 25 years.

Application Procedures

Applications must be submitted to an SBA-approved lender: Borrowers can apply for a loan by contacting an authorized lender (contact your bank or see Page #38).

SBA Express Bridge Loans (EBL)

Enables small businesses who currently have a business relationship with an SBA Express Lender to access up to \$25,000 quickly.

By SBA

Express Bridge Loan Pilot Program allows small businesses who currently have a business relationship with an SBA Express Lender to access up to \$25,000 quickly. These loans can provide vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing and can be a term loans or used to bridge the gap while applying for a direct SBA Economic Injury Disaster loan. If a small business has an urgent need for cash while waiting for decision and disbursement on an Economic Injury Disaster Loan, they may qualify for an SBA Express Disaster Bridge Loan.

Terms

- Up to \$25,000
- Fast turnaround
- Will be repaid in full or in part by proceeds from the EIDL loan

SBA Debt Relief

For current SBA Serviced Disaster (Home and Business) Loans

By SBA

Overview

- The SBA will automatically pay the principal, interest, and fees of current 7(a), 504, and microloans for a period of six months.
- The SBA will also automatically pay the principal, interest, and fees of new 7(a), 504, and microloans issued prior to September 27, 2020.

Additional Debt Relief

For current SBA Serviced Disaster (Home and Business) Loans: If your disaster loan was in "regular servicing" status on March 1, 2020, the SBA is providing automatic deferments through December 31, 2020.

What does an "automatic deferral" mean to borrowers?

- Interest will continue to accrue on the loan.
- 1201 monthly payment notices will continue to be mailed out which will reflect the loan is deferred and no payment is due.
- The deferment will NOT cancel any established Preauthorized Debit (PAD) or recurring payments on your loan. Borrowers that have established a PAD through Pay.Gov or an OnLine Bill Pay Service are responsible for canceling these recurring payments. Borrowers that had SBA establish a PAD through Pay.gov will have to contact their SBA servicing office to cancel the PAD.
- Borrowers preferring to continue making regular payments during the deferment period may continue remitting payments during the deferment period. SBA will apply those payments normally as if there was no deferment.
- After this automatic deferment period, borrowers will be required to resume making regular principal and interest payments. Borrowers that cancelled recurring payments will need to reestablish the recurring payment.

If you have questions about your current loan and whether or not your loan is automatically deferred, please contact your Loan Servicing Office directly using the following information:

- Birmingham Disaster Loan Servicing Center: Phone: 800-736-6048 | Email: BirminghamDLSC@sba.gov
- El Paso Disaster Loan Servicing Center: Phone: 800-487-6019 | Email: ElPasoDLSC@sba.gov

SBA Borrower FAQs

By SBA

Can sole proprietors claim their compensation on the EIDL and PPP loans? What if it is not paid out as salary but they are paid through a draw against net revenue of the business as their compensation? What if a draw is not shown but it is net revenue on their personal tax return? Do they add the additional health care and other costs that are eligible to be covered?

Yes, they can still apply. Lenders can verify income via tax documentation and bank Statements.

Payroll costs include: • Salary, wages, commissions, or tips (capped at \$100,000 on an annualized basis for each employee); • Employee benefits including costs for vacation, parental, family, medical, or sick leave; allowance for separation or dismissal; payments required for the provisions of group health care benefits including insurance premiums; and payment of any retirement benefit; • State and local taxes assessed on compensation; and • For a sole proprietor or independent contractor: wages, commissions, income, or net earnings from self-employment, capped at \$100,000 on an annualized basis for each employee.

How can a 1099 contractor request a PPP loan? Is the average payroll cost the average monthly 1099 amount? Do they add the withholding tax they paid (FICA, FUTA, etc), healthcare and costs to get their average amount?

For a sole proprietor or independent contractor: wages, commissions, income, or net earnings from self-employment, capped at \$100,000 on an annualized basis for each employee.

How does an independent contractor use the recover lost 1099-Misc income? As written, the independent contractor has no payroll and often no business-related rent and utilities – does that mean that there are no Allowable Uses? This seems to imply that the independent contractor can apply for a loan and calculate the max loan, but can't use it for anything. Further, if there are Allowable Uses, how does the independent contractor determine the amount of forgiveness?

They can use the loan proceeds to cover their income for eight weeks. Average monthly payroll will be estimated using tax documents and/or bank statements.

Can you clarify the timing of receipt of the \$10,000 EIDL loan amount? Initial comments were 3 business days but some people have heard this was after a 10 day processing time period? The 3 day waiting time has passed for people who claimed last week and they have not heard back.

We do not have a definitive answer on how long it will take to receive the funds. The disaster team originally stated 18-21 days for approval, but we have heard some individuals receiving an initial response in 11 days.

For the EIDL loan, will there be any clarity on the amount that will be approved based on operating expenses submitted. Will it cover 3 months, 6 months, 1 year, etc and how will the loan term be decided? A term sheet would be helpful to guide clients through the process.

The loan officer will work with the business owner to determine the appropriate amount of recovery funds.

| For the PPP loan, the application | shows: |
|-----------------------------------|---|
| Average Monthly Payroll: \$ | x 2.5 + EIDL, Net of Advance (if Applicable) Equals |
| Loan Request: \$ Number | of Employees: |
| Purpose of the loan (select more | than one): □Payroll □Lease / Mortgage Interest |
| □ Utilities □ Other (explain): | |

It looks like the loan request is based on average monthly payroll only. Where do the amounts for the other items noted – lease/mortgage interest, utilities, other – get calculated and for how many months of coverage?

That calculation accounts for 8 weeks of payroll, plus an additional 25% of the loan amount for other costs. The majority of the loan (75% or more) should be used for payroll purposes.

How is the \$10,000 grant amount calculated for the EIDL loan? Is it based on number of employees, % of loan amount or does everyone get the entire amount? It will be based on employment and other criteria.

For the PPP application, there is a provision that states: Employers requiring furloughed workers to return to work by employers decertifying their unemployment status may be liable for damages for illness due to Covid-19.

Is this meant to de-incentivize employers from recalling employees too early back to work. Should employers wait until any shelter in place executive orders issued by the state and local government had concluded before recalling employees so that they are not liable?

We do not have the answer for this. What we do know is that if they apply for the PPP loan, they will have to hire their employees back once they receive the funds.

For faith based non-profits, please confirm that they are not eligible for the EIDL loan but are eligible for the PPP loans if they have staff on payroll? They are now eligible for both.

If a business used an agency for the first 9 months of 2019 & then brought them onto payroll, how do you calculate the average monthly payroll cost? Do you assume the employee was on payroll the entire year? The quarterly 940 will not reflect this information.

Yes.

How do you calculate FTEs especially if a business uses seasonal or part time workers? Calculate total number of jobs, whether they were part time or full time employees.

In the text of the CARES Act, the term "payroll costs" is:

(I) (aa) the sum of payments of any compensation with respect to employees and (II) shall not include taxes imposed or withheld [paraphrasing here]: FICA, Medicare, income taxes.

Why is SBA and others saying that payroll costs are the gross amount of payroll?

Under the Act, payroll costs are calculated on a gross basis without regard to (i.e., not including subtractions or additions based on) federal taxes imposed or withheld, such as the employee's and employer's share of Federal Insurance Contributions Act (FICA) and income taxes required to be withheld from employees. As a result, payroll costs are not reduced by taxes imposed on an employee and required to be withheld by the employer, but payroll costs do not include the employer's share of payroll tax. For example, an employee who earned \$4,000 per month in gross wages, from which \$500 in federal taxes was withheld, would count as \$4,000 in payroll costs. The employee would receive \$3,500, and \$500 would be paid to the federal government. However, the employer-side federal payroll taxes imposed on the \$4,000 in wages are excluded from payroll costs under the statute.

Basically, anything that is already covered in an employee's paycheck is already being included, by including the gross pay.

13. With respect to seasonal employers and the amount forgiven, why are the wages paid and FTEs comparing the 8-25 week period after loan origination [in 2020] to Feb. 15-June 30, 2019. This would not be a comparable comparison?

SBA backdated the disaster assistance to February 15, 2020, and the loan period is covered until June 30, 2020. Therefore, they are using that time period to get the estimation of how many employees that business would employ during that time of year. For example, a seasonal business that hires the bulk of its employees during the winter months would not suffer the same economic impact a seasonal business that hires the bulk of their employees in the spring would.

I check on the status of my EIDL loan application?

Unfortunately there is no way to check the status of the loan within the district office, or through disaster customer service. As you can imagine, SBA has received thousands and thousands of applications on this national disaster loan program. Please be patient and you will eventually receive email correspondence from the disaster team. According to applicants we have spoken to, it has taken approximately 11 days from the first submission to receive your initial response.

What if an eligible borrower contracts with a third-party payer such as a payroll provider or a Professional Employer Organization (PEO) to process payroll and report payroll taxes?

SBA recognizes that eligible borrowers that use PEOs or similar payroll providers are required under some state registration laws to report wage and other data on the Employer Identification Number (EIN) of the PEO or other payroll provider. In these cases, payroll documentation provided by the payroll provider that indicates the amount of wages and payroll taxes reported to the IRS by the payroll provider for the borrower's employees will be considered acceptable PPP loan payroll documentation. Relevant information from a Schedule R (Form 941), Allocation Schedule for Aggregate Form 941 Filers, attached to the PEO's or other payroll provider's Form 941, Employer's Quarterly Federal Tax Return, should be used if it is available; otherwise, the eligible borrower should obtain a statement from the payroll provider documenting the amount of wages and payroll taxes. In addition, employees of the eligible borrower will not be considered employees of the eligible borrower's payroll provider or PEO.

My financial institution is no longer taking/isn't taking PPP applications. Is there another lender I can go to?

Please reference our SC Lender List and the Paycheck Protection Find Lender Tool. Additionally, please know that most lenders are only servicing their own clients at this time.

Can I still receive the PPP loan to pay my employees if I have laid them off? You will have to rehire your employees once you receive the PPP funds, and keep them employed for at least an eight week period after receiving the loan.

I own my property, but the property is owned by my holding company, and my business pays rent to my holding company. Can I still use the PPP loan to pay rent?

Yes, but do not double dip funds, and only apply under the business EIN, and not the holding company. Since the rent will still be paid to the holding company, that entity will not be suffering an economic impact.

Can I get more than the 2.5 x average monthly payroll? I need more funds to cover rent, utilities, and/or mortgage interest payments.

The maximum loan amount is 2.5 x average monthly payroll. This loan is mainly for payroll purposes, and less that 25% of the loan should be used for non-payroll expenses. If you need more funds to cover those expenses, considering applying for the Economic Injury Disaster Loan.

Can an individual who is on the Board of Directors of a financial institution apply under that financial institution?

That is considered a conflict of interest, and would be ineligible to apply.

Can an individual with pending charges apply for the PPP or EIDL loan? They would not be able to apply until they were cleared of any pending charges.

What if I had a delinquent federal loan more than 7 years ago? If it is past the 7 year timeframe, you are eligible to apply.

Self Employed Unemployment and Coronavirus Stimulus Package

Via HoneyBook.com

With coronavirus impacting many small businesses, many have been asking about what's available in terms of self employed unemployment benefits and small business relief. As part of the Senate's \$2T coronavirus stimulus bill passed on March 25, 2020, unemployment benefits are being extended to all workers including freelancers, gig-economy workers, and other independent contractors. For small business owners, emergency grants of up to \$10,000, short-term forgiveness on new loans, and a payroll tax credit to help retain employees are available.

Quick answers:

- Eligibility for unemployment insurance extended for all workers, not just full-time employees.
- The federal government will provide an extra \$600 per week for up to 4 months on top of your state's current state unemployment benefits.
- State unemployment benefits range from \$200 to \$550 per week on average and collected between 12 and 28 weeks.

Can you get unemployment if you are self employed?

Self-employed and part-time workers are not usually eligible for unemployment benefits. However, the new bill extends to include self-employed people and part-time workers. Self-employed people include gig workers, freelancers and independent contractors. Basically, those who cannot work due to coronavirus-related reasons would be more likely to qualify for benefits.

Who is not included in the bill?

Workers who are able to work from home (Note: This seems to reference corporate workers and not self-employed or part-time workers who work from home.) Those receiving paid sick leave or paid family leave

New entrants to the work force who cannot find jobs

People who quit (or want to quit) because they are afraid of being at greater risk of contracting coronavirus if they continue to work (However, if you had to quit because of a healthcare provider-recommended quarantine, or something similar, you would be eligible.)

Self Employed (cont)

Who is eligible?

- You are self employed or part time and lost work due to a coronavirus reason
- You received a COVID-19 diagnosis, are experiencing symptoms, seeking a diagnosis or caring for a member of your family/household who received a diagnosis AND you're unemployed, partly unemployed or cannot work as a result
- You rely on a facility, daycare or school to care for a child or other family member so you can work, and that facility has closed due to coronavirus
- You must self-quarantine on the advice of a healthcare provider because of exposure to coronavirus
- You are unable to get to work because of an imposed quarantine
- You were about to start a new job but can't get there now because of an outbreak
- You were immediately laid off from a job and don't have enough work history to qualify for benefits under normal conditions
- You are unemployed, partly unemployed or unable to work because your employer shut down your workplace

How much would you get?

How much you get depends on which state you live in and would be calculated based on your previous income. Additionally, eligible workers would get an extra \$600 per week from the federal government on top of their state's weekly benefit.

How long would benefits last?

This also varies by state. Most states provide benefits for 26 weeks, although some provide benefits for less. The new bill adds an additional 13 weeks for all eligible workers. 39 weeks is the maximum time eligible workers can receive benefits, but this may be less depending on the state.

The extra \$600 payment would last for up to four months and cover weeks of unemployment ending July 31.

How long would the self employed unemployment program last? The extended program would be open to workers who were newly eligible for unemployment benefits starting Jan. 27, 2020 through Dec. 31, 2020.

How do I apply?

Unemployment benefits will be administered by your state's unemployment offices. To Apply, find your state here and click on the link to apply with your state's office. Or for more information about filing for self employed unemployment benefits, check this unemployment benefits finder.

Help from an actual person

This guide includes timely information, including Coronavirus specific Business Loans, tax relief, and more. Our hope is it answers some of your questions, but realize you'll probably need more help. In addition to the centers listed to the right, contact your accountant or CPA, your bank, and other partners.

Approved PPP Lenders (Members)

Click for Full List

Anderson Brothers Bank

NMB: 843-249-6041 Longs: 843-399-8424

BB&T 843-249-5424

CresCom Bank 843-663-9265

Conway National Bank 843-399-5721

First Palmetto Bank 843-280-4273

United Community Bank 843-839-6872

Local Accounting/Tax Services

Bryant Accounting & Tax 843-249-7818

Computerized Tax 843-916-8890

Duran Insurance & Tax 843-249-1079

Liberty Tax Service 843-399-1040

Phillips, Curring & Company, CPA 843-249-3334

Top Local Resources for Small Businesses

SBDC

<u>Contact Form</u> - Small Business Development Centers are local offices sponsored by the SBA to help small businesses.

Grand Strand SCORE

843-918-1079 - SCORE is offering advice and assistance from its business mentors including help navigating financial challenges and assistance in applying for SBA disaster assistance loans.

SBA

SC: 803-765-5377 | NC: 910-398-0746 - The U.S. Small Business Administration is an independent federal agency that works to assist and protect the interests of American small businesses.

Additional assistance

This is also a great time to work with your business service providers and for extended deadlines, waiving service fees, and other graces during this time.

Don't forget to offer the same to your customers though. Be more flexible with your own policies, fees, and services at th this time. As a customer you can do the same by asking to reschedule instead of cancel.



Tax Relief

- Income Taxes: We are aligning with the IRS and extending the Income Tax filing and payment due date from April 15, 2020 to July 15, 2020.
- Other state taxes: other state returns and payments due April 1 June 1 will now be due June 1, 2020. Penalty and interest will not be charged if payment is made by June 1. This includes Sales and Use Tax, Admissions Tax, Withholding Tax, and other taxes that are filed with and/or paid to the SCDOR.

We are automatically applying this tax relief for all applicable returns and payments; you don't need to take any additional action.

Temporary Regulation Suspension

Current holders of a valid On or Off-Premises Beer/Wine Permit who meet certain requirements may sell sealed containers of beer and wine for curbside/drive-thru pickup for off-premises consumption. This temporary suspension of Regulation 7-702.5 is only effective while South Carolina remains in the officially declared COVID-19 State of Emergency. See if you qualify at doi:10.2016/journal.org/10.2016/journal.org/

Taxpayer Services

Online services

- Use MyDORWAY, our free, online tax system, at MyDORWAY, to securely manage your South Carolina taxes from a smartphone or computer. Visit dor.sc.gov/MyDORWAY to learn more.
- Consider filing your Individual Income Taxes electronically, which is safer and faster. Visit <u>dor.sc.gov/iit-filing</u> to learn more. After you file, check your refund status online at <u>dor.sc.gov/refund</u>.

If you need assistance

- Email or web messages are the best way to reach us.
 - Find the email address for the tax area you need at dor.sc.gov/contact.
 - Send us a message through your MyDORWAY account by logging in and clicking Send DOR a Message in the I Want To menu.
 - Most of our phone service is currently unavailable. We hope to have phone service options available soon.
- Help protect yourself and prevent the spread of the virus by emailing us instead
 of visiting in person. If you need in-person assistance, please come alone or limit
 the number of people in your group.
 - o Our district office in Myrtle Beach is closed on Mondays and Fridays.



Is the SCDOR offering tax relief to individuals and businesses impacted by the COVID-19 outbreak?

Yes. The SCDOR is aligning with the IRS and extending the Income Tax filing and payment due date from April 15 to July 15, 2020. For all other taxes administered by the SCDOR, tax returns and payments due April 1 – June 1 will now be due June 1, 2020. Penalty and interest will not be charged if payment is made by June 1.

Do I have to do anything to be eligible for this tax relief?

No, we are automatically applying this tax relief for all applicable returns and payments; you don't need to take any additional action.

I already filed my 2019 Income Tax return and scheduled a tax payment for April 15, 2020. Will this payment automatically be rescheduled to July 15, 2020? What about payments scheduled for other SCDOR taxes?

Payments that were scheduled before the due date changed will not automatically be rescheduled. If your payment was already submitted, mailed, or processed, it cannot be changed, returned, or refunded.

If your scheduled state tax payment has not been processed, follow the steps below depending on which situation applies to you:

- If you scheduled a payment on MyDORWAY, you can cancel your existing payment and schedule a new payment for a later date. Visit <u>MyDORWAY.dor.sc.gov</u> and log into your account or click Make a Payment to retrieve your previously scheduled payment.
- If you scheduled a payment through a third party vendor or service, email <u>TaxRelief@dor.sc.gov</u> at least three days before the scheduled payment date.

What if I need more time to file my Individual Income Taxes?

You can request a six-month Individual Income Tax filing extension by making your tax payment at document-ndividual Income Tax filing extension by making your tax payment at document-ndividual Income Tax filing extension by making your

What can I do if I can't afford to pay my taxes because of COVID-19?

We offer payment plan options for tax bills. Visit dor.sc.gov/payplan for details.

Who can I contact with questions about my taxes?

Email the tax area you have questions for using the contact information provided at dor.sc.gov/contact. You can also send us a message via your MyDORWAY account.

For questions about extended due dates email <u>taxrelief@dor.sc.gov</u>. For other questions, visit <u>dor.sc.gov/contact</u> to find the email address you need.

EMPLOYMENT & WORKFORCE

Employer Tax Deadline **EXTENSION**

As South Carolina responds to the impacts of the COVID-19 virus, we remain open and ready to assist employers. We are closely monitoring this rapidly changing situation and are prepared to meet the needs of South Carolina employers, including providing tax relief and online services. Our top priority is the health and safety of all employers and employees. Thank you for your patience and understanding as we face the challenges of COVID-19 together.

TAX RELIEF

To assist employers during the COVID-19 pandemic, we are offering additional time to pay quarterly unemployment insurance (UI) taxes for the first quarter of 2020 normally due April 30 until June 1, 2020. Penalty and interest will not be charged if payment is made by June 1. We are automatically applying this tax relief for all employers; you don't need to take any additional action.

IMPORTANT INFORMATION REGARDING WAGE REPORT DEADLINE:

Wage Report filings are still due no later than April 30. This extension only applies to tax payments and will not extend the deadline by which you must file your quarterly wage report. Wage reports submitted timely by Employers are necessary to determine if claimants are monetarily eligible to receive benefits. Accordingly, DEW must require the wage reports by the prescribed deadline of April 30.





EMPLOYER SERVICES

We are currently open and ready to assist employers, but we expect request for information response times to be longer than normal. We appreciate your patience. We value the health and safety of our employers and all South Carolinians, so we encourage you to avoid visiting our office in-person as much as possible. We suggest you:

- Use our available online services. Visit SUITS, our free, online tax system, at <u>uitax.dew.sc.gov</u> to securely manage your South Carolina UI taxes.
- Help protect yourself and prevent the spread of the virus by reaching us through your self-service portal in SUITS instead of visiting in person. Online request for information can be submitted using your self-service portal in SUITS, the agency's online tax system. In order to ensure we properly address your question, we recommend labeling the Subject line as "COVID-19." You may access SUITS at any time at uitax.dew.sc.gov. For instructions on how to use SUITS, please visit dew.sc.gov/suits.
- Consider filing your quarterly wage report electronically, which is safer and faster.
 Visit dew.sc.gov/suits to learn more.

FAQs

Is DEW offering tax relief to employers impacted by the COVID-19 pandemic?

Yes. UI tax payments for the first quarter of 2020 due April 30 will now be due June 1, 2020. Penalty and interest will not be charged if payment is made by June 1.

Do I have to do anything to be eligible for this tax relief?

No, we are automatically applying this tax relief for all applicable payments; you don't need to take any additional action.

Does this automatic extension apply to both the filing of my wage report and payment of UI taxes?

NO, the automatic extension until June 1 ONLY extends time for the payment of UI taxes. DEW must still require that employers file their quarterly wage report by the deadline of April 30. Wage reports submitted timely by Employers are necessary to determine if claimants are monetarily eligible to receive benefits. Accordingly, DEW must require the wage reports by the prescribed deadline of April 30.

What if I need more time to file my Wage Report?

The automatic extension only applies to the payment of UI taxes. You will still be required to file your first quarter wage report on or before April 30. If you believe your circumstances will prevent you from meeting the filing deadline, please contact us through your self-service portal in SUITS, at uitax.dew.sc.gov. In order to ensure we properly address your question, we recommend labeling the Subject line as "COVID-19." You may access SUITS at any time at uitax.dew.sc.gov. For instructions on how to use SUITS, please visit dew.sc.gov/suits.



What can I do if I can't afford to pay my UI taxes because of COVID-19?

If you do not believe you will be able to make full payment by the extension deadline of June 1, please contact our office to discuss your account activity or login to your self-service portal in SUITS for more information.

Who can I contact with questions about my taxes?

You can submit an online request for information using your self-service portal in SUITS, the agency's online tax system. In order to ensure we properly address your question, we recommend labeling the Subject line as "COVID-19." You may access SUITS at any time at <u>uitax.dew.sc.gov</u>. For instructions on how to use SUITS, please visit <u>dew.sc.gov/suits</u>.

Where can I get more information about the virus?

For the latest information about the virus in South Carolina, visit the South Carolina Department of Health and Environmental Control's dedicated web page, scdhec.gov/COVID19.



EMPLOYMENT & WORKFORCE

What are **EMPLOYER FILED CLAIMS** and how do they work?

An Employer Filed Claim is a way in which workers who have been laid off or whose hours have been reduced, but are still "job attached" to the employer, can potentially receive Unemployment Insurance benefits to provide monetary support.

WHAT DOES "JOB ATTACHED" MEAN?

Being "job attached" to an employer means that an employee and a business both intend that the individual will return to work or increase their hours in the future. The worker has not been permanently separated from employment.

IS AN EMPLOYER FILED CLAIM A BETTER WAY TO APPLY FOR UNEMPLOYMENT INSURANCE?

Employer Filed Claims are more convenient and eliminate the step of an employer having to verify a worker's claim. In addition, employers can use an excel spreadsheet or CSV file to upload many employees at once rather one at a time.

In addition, for regular UI claims,* an Employer Filed Claim eliminates the need for the employee to conduct two weekly job searches because both the employer and the worker hope to anticipate that the layoff or reduction in hours is temporary and that they will work together again.

However, an individual can be eligible for UI benefits either way.

NOTE: If the business submits an employer filed claim on behalf of their employees, they should notify their employees. The worker will still need to create an account and certify the claim each week.

*As part of the agency's response to the COVID-19 virus, any claimant who has lost work due to COVID-19 is excused from the weekly work searches, whether the claim is filed by the employer or the claimant.

WHERE DOES AN EMPLOYER GO TO FILE AN EMPLOYER FILED CLAIM?

Visit <u>dew.sc.gov</u> and under the Employers tab, click on Employers Bridge to Benefits.

When you navigate to the login screen you can use your State Unemployment Insurance Tax System (SUITS) username and password to login. If you have forgotten or lost your PIN, you should click the link on the page to authenticate your account and set up your new username and password for the site.

WHEN/HOW SOON CAN AN EMPLOYER SUBMIT AN EMPLOYER FILED CLAIM?

The employer must wait until the end of the week of layoff before they can file the claim. They must file within 14 days of that claim-week ending date; however, the longer an employer waits to file, the longer it takes the workers to receive their benefits payment.

FACTORS THAT IMPACT BENEFIT PAYMENT

Overall, if an individual is eligible, the average time to receive payment is 7 to 10 days once a claim has been filed. The agency's system has recently been modernized to ensure the fastest automation on our end

There are many variables that affect this question. Such as:

- When the employer files the claim.
- · How quickly the worker certifies the claim.
- · Eligibility status.
- When an employer responds to separation information.
- And more.

LET'S LOOK AT A BEST CASE SCENARIO!

An employer lays off part of his workforce on a Monday. They do not work for that week, and the employer immediately files on behalf of his employees the following Sunday.

The workers could check their account and certify the claim the Monday after the employer files on Sunday.

Two to three business days later the workers would receive a debit card or direct deposit.

What are **EMPLOYER FILED CLAIMS** and how do they work?

IF THE BUSINESS SUBMITS AN EMPLOYER FILED CLAIM, DOES THE EMPLOYEE NEED TO DO ANYTHING IN ORDER TO GET A BENEFIT PAYMENT?

YES! The employee will still need to go to the Claimant Self Service Portal each week that the employer submits a claim and certify.

If the employee is new to the system they will click the "I am new here. I need to Register Now!" This is a two-step process:

- 1. Creating their credentials (username and password).
- And then logging into the system using their new credentials and creating an account.

If the employee has applied for UI before, they should use their username and password to login and certify. If they do not remember their username and password they **SHOULD NOT** create a new account. Instead, they should click "Forgot your username/password?"

WHAT DOES "CERTIFY" MEAN?

It means you are confirming that the information submitted by your employer is correct and that you should receive the UI benefits for that week.

An employee cannot certify for the week until the employer has submitted the claim on their behalf for that week.

An employee has up to two weeks after the employer submits the weekly claim to certify, but this will delay your UI benefits payment – the payment will not be initiated by the system until you certify for the week. WHY DOES AN EMPLOYER HAVE TO WAIT A WEEK BEFORE THEY CAN FILE ON BEHALF OF THEIR EMPLOYEES? OR, IF A BUSINESS LAYS OFF OR REDUCES HOURS FOR THEIR EMPLOYEES ON A MONDAY, WHY WOULDN'T THEY FILE FOR UI BENEFITS FOR THEIR EMPLOYEES THE SAME DAY?

An employer is filing in arrears of the work week.

Much like a paycheck is compensation for the prior week of work, UI benefits are paid for the prior week of unemployment. Benefits are not paid in anticipation that someone won't be working. For instance, if a worker is laid off on Monday, they might get part time work on Tuesday which might effect eligibility of the UI claim. By filing at the end of the work week (earliest day to file is a Sunday), employers are confirming that those employees did not work or had reduced hours and should receive UI benefits for the week before.



*The longer it takes an employer to submit an Employer Filed Claim, the longer it will take for the employee to receive benefits.

STANDARD EMPLOYEE FILING PROCESS VS. EMPLOYER FILED CLAIMS PROCESS

EMPLOYEE FILES

Vorker files claim.

Respond Employer has 10 days

to respond about why there was a lay off or reduction of hours. Eligibility Eligibility is determined.

Payment

Claimant receives payment via debit card or direct deposit

EMPLOYER FILES

File

Employer filed claim is submitted and eligibility is determined in the filing. Respond

Claimant certifies that they are unemployed and reports any wages earned for the week. Paymen

Claimant receives payment via debit card or direct deposit.

COVID-19 RELATED UNEMPLOYMENT INSURANCE (UI) INFORMATION

| | COVID-19 SCENARIOS | ELIGIBLE FOR UI? | EMPLOYER'S ACCOUNT RELIEVED OF CHARGES? |
|-----|--|---------------------|---|
| 1 | An employer temporarily closes and lays off its staff due to Coronavirus. | √ * | \checkmark |
| 2 | An employer remains open, but lays off some staff due to lost business caused by the Coronavirus. | ✓ * | ✓ |
| 200 | An employer remains open, but reduces hours for staff due to lost business caused by the Coronavirus. | ?* | \checkmark |
| 4 | An employer lays off staff or reduces hours, but pays impacted employees (salary, accrued paid leave, etc.) | × | ✓ |
| 5 | An employer remains open, but an employee can't work because they have to provide childcare while schools are closed. | × | \checkmark |
| 6 | An employer remains open, but an employee can't work because they are sick or have been quarantined due to possible exposure. | × | ✓ |
| 7 | An employer remains open, but an employee refuses to work because they are afraid of contracting COVID-19 (i.e., self-quarantining). | X | \checkmark |
| 8 | An employer remains open, but an employee can't work because they are providing care for a sick family member. | X | ✓ |

EMPLOYMENT & WORKFORCE

DEW.SC.GOV/COVID-HUB



*DISCLAIMER: Employees receiving compensation, such as paid leave, from their employer in a given week will generally not be eligible to also receive unemployment insurance for that week. This information provides a general overview of potential UI eligibility and charge removal for claims directly related to the state of emergency caused by the Coronavirus (COVID-19). It is not intended to be, and should not be construed as, a definitive answer to any specific situation. Employment and Workforce will investigate and adjudicate each claim to determine UI eligibility based on the unique facts of each case. Claimants affected by loss of work due to the Coronavirus should apply for UI benefits to determine if they are eligible. Employers should timely respond to all requests for information from Employment and Workforce to ensure that claims are properly adjudicated.

Unemployment Benefit FAQs Specific to South Carolina

NOTE: If you have lost your job, through no fault of your own, due to COVID-19, please **coviD-19** as the reason for layoff.

When answering questions – think, what would you do if COVID-19 were not part of the equation.

When will I start receiving the additional \$600?

[As of 4/08], we have not received any federal funding through the CARES Act or PUA (Pandemic Unemployment Assistance). Once a clear timeline is provided, we will communicate that out.

I applied in mid-March as self-employed and was denied. Will the federal expansion of eligibility pay me out from the time I filed? Or do I need to refile? Pandemic Unemployment Assistance (PUA) benefits will be available from the claim week ending February 8, 2020 through the claim week ending December 26, 2020. Once PUA is activated within our system, DEW will retroactively pay out benefits to the first week within that period that you meet the PUA eligibility requirements.

I'm self-employed. Your system shows my status as "ineligible." What do I need to do?

At this time, there's no action needed on your part. You will receive an initial denial. You do not need to file an appeal. Once the CARES Act and PUA (Pandemic Unemployment Assistance) is activated within our system, we will retroactively pay out benefits.

How do I file for an extension if my benefits are exhausted?

At this time, the system will not allow an extension to be filed due to the system enforcing the standard 20 weeks of benefits ruling. You do not need to file an appeal. Once the CARES Act and PUA (Pandemic Unemployment Assistance) is activated within our system, we will retroactively pay out benefits.

If someone is denied benefits because they haven't lived in SC long enough or haven't accrued enough to meet monetary requirements, will they be provided eligibility coverage under the CARES Act or PUA?

Individuals who do not have a sufficient wage history to meet the regular state UI monetary requirements may be eligible for PUA (Pandemic Unemployment Assistance) if they were separated as a direct result of COVID-19.

I was supposed to start a job, but didn't because of COVID-19. What amount do I put from wages?

You should report the actual wages you earned for the period you are being asked about. Individuals who do not have a sufficient wage history to meet the regular state UI monetary requirements or who were scheduled to start a job but couldn't due to COVID-19, may be eligible for PUA (Pandemic Unemployment Assistance) if they were separated from employment, or could not start employment, as a direct result of COVID-19.

Eligibility

General Eligibility

Eligibility for benefits can only be determined after you have filed a claim for benefits. There are several factors that affect your eligibility for benefits. They include but are not limited to your wages during the base period, your reason for separating from your employer, your availability to work, and more.

Eligibility under the CARES Act

The CARES Act (Coronavirus, Aid, Relief and Economic Security Act) provides for Pandemic Unemployment Assistance (PUA), which expands the pool of potentially eligible Claimants as follows:

- Individuals who file a 1099
- Self-Employed Individuals
- Church Employees
- Independent Contractors
- Gig Economy Workers
- Claimants who have exhausted their regular UI Benefits

The CARES Act also provides for Federal Pandemic Unemployment Compensation (FPUC), which allots \$600.00 weekly in Emergency Increase in Unemployment Compensation Benefits. This increase will also be applied retroactively to the CARES Act effective date (as early as Claim Week beginning March 29, 2020), ending on or before July 31, 2020.

Here are some tips for answering questions while filing your initial claim:

Creating a username/password - System Message: The Username you have selected already exists in the system. Please select another Username.

This does not mean you are already registered in the system. It means that username has been assigned to another individual. Usernames in the Claimant Self Service Portal must be unique. Try another username.

Security Questions: Some of the prompts require a multi-word answer, such as what is your all time favorite movie or what is your all time favorite summer destination?

Please note that the answers cannot contain spaces or special characters so the answers will have to be compounded together such as TheGodfather or Stpetersburg.

I have created by username and password, but I got "kicked out" and sent back to the login screen. Account creation is a two-step process. The first thing you do is create your "credentials" or username and password. When you complete this process the system will automatically close and send you back to the login screen. Do not be alarmed. This step is for your security.

On the login page you will enter your new username and password to reenter the system. This way your credentials are associated with all of your registration information.

Filling out the claim

Resume my UI claim - If you log out or are timed out of the system, when you log back in to finish your claim you will see a link on the dashboard that says, "Resume My UI Claim." You will still have to proceed through the tabs you have already completed, but you will see that your information has been saved in the fields. Just click Next until you return to where you left off.

I am entering my personal information and it will not let my type by City name. Click the magnifying glass in the blue square to the right of the city field. In the pop up box click the drop down menu and select your state. In the city name field, type your city or click "Search" and select the city from the list, scroll to the bottom of the city list and click "Select." The city name will then populate the field. Click "Close" and the city field should now be filled in.

If I work for a company with franchises, do I select the location where I worked or do I select the headquarters? Select the one that seems to be the correct employer. If adjustments need to be made, we will contact you.

Who do I list as an employer if I'm self-employed, 1099, gig employees, etc.? Use the name you provide when filing with the IRS.

If I don't have a federal EIN number what do I use? Use your Social Security Number.

I am adding an employer to my employment history, where do I upload employer documentation while filing out my initial claim? The last line of the screen says provide any supporting documents you have. Under the checkboxes there is a button labeled Upload. When you click this button it will allow you to select documents from your computer to upload into the system.

Where do I tell the system that I was laid off because of COVID-19? When you are directed to the separation tab, the first question is reason employment ended. In that drop down menu, you will see two options related to COVID-19: Layoff due to Coronavirus and reduced hours due to Coronavirus.

What is my return to work date if I don't know? Use your best guess. This can be changed later.

I am self-employed 501(c) and my earnings are taken from my personal income tax each year, therefore my gross earnings for the week are \$0. How should I complete this field? Because the system is not built for the self-employed, this field is a requirement for unemployment insurance. Fill the field with \$1 to proceed to the next screen.

Do I have to pay income tax on my unemployment insurance benefits? Yes. The system will automatically pay out the full benefit amount, for which you will have to pay federal and state income tax. However, as you complete the application you can choose, when prompted, to have taxes withheld from your benefits.

There are fields in the Work Search tab that won't let me click in them. Click the magnifying glass in the blue square to the right of the Kinds of Job Seeking/O*Net field. In the pop up box you will be able to search different categories of work and then select the one that is most appropriate.

If the work search was waived for South Carolina why does it tell me I have to do two job searches in South Carolina Works Online System (SCWOS)? If I want to return to my job, why would I be required to do two job searches? Due to the unusual circumstances of COVID-19, the work weekly work search requirement is waived.

How do I answer the Able and Available Question? Ask yourself: If COVID-19 was removed from the equation, would I be able and available to go back to the job I had before or accept a new job offer? If yes, answer "YES" If no, answer "NO"

Why is it asking if I have completed a job search since the weekly job search was waived for COVID-19 related claims filed March 15-April 18? Because unemployment insurance is a temporary bridge while an individual tries to find other employment, our system provides this question for claimants who started receiving UI benefits prior to COVID-19. However, with the changes in state and federal law to assist during COVID-19, you can answer the question honestly. Answer "yes" if you have searched for work – we encourage you to use SC Works Online Services to conduct at least two job searches. However, if you answer "no" you will not be penalized for not completing a job search.

I got an error message telling me that my SSN was invalid. Why? The Federal Database may be currently unavailable to validate your information when you are ready to submit your claim. In order to proceed please remove your middle initial if you provided it. If you left the field blank, fill in your middle initial. Under the drop down box labeled "Name: Change Reason" select, I misspelled my name. Then click next. Your information will be validated and processed by our system during off-peak times.

When I complete my claim, it is taking me to SC Works. Do I have to do the weekly job search? Because unemployment insurance is a temporary bridge while an individual tries to find other employment, our system sends claimants to this site to do their required job searches. However, with the changes in state and federal law to assist during COVID-19, you do not have to complete the job search. You will not be penalized.

I worked for an employer, but resigned to take a new job. Before my start date, my new employer told me that the job was eliminated due COVID-19. Can I still apply?

If you have a letter from the new employer with the intended start date then go ahead and file. You will originally be denied; however, you do not need to do anything. Please wait on our agency for further information once Pandemic Unemployment Assistance (PUA) is enacted.

Claim Processing

How long will it take to process my claim and get paid? Due to volume of claims, please allow up to 21 days to process your claim; however, if you are deemed eligible your benefits will be paid retroactively to the week you filed your claim.

What does "Issues Delaying Payment" mean? When you initially file your claim, and it is being processed by staff, you will see an ISSUES DELAYING PAYMENT banner listed on the Claimant Homepage of your portal – this is standard.

What does "Pending Resolution" mean? If you see a "PENDING RESOLUTION" issue, you do not need to do anything additional at this time.

What does "SSA Validation" mean? If you see a "SSA VALIDATION" issue in this section, do not worry, this will resolve itself automatically.

My first weekly certification was processed as a waiting week, what do I need to do to move forward? Our agency is working to process all waiting week waivers as soon as possible. If you see your first weekly certification was processed as a waiting week, you do not need to contact us to have it corrected. You will see an update as soon as this process is completed by our agency.

When should I begin filing weekly certifications? On the Sunday after you submit your application for benefits, you should begin filing weekly certifications through your MyBenefits portal. You should begin certifying weekly even before you receive a final determination on your claim.

Do I have to do the two weekly work searches? The work search requirement is waived during this period, so you may disregard the instructions on completing this task as outlined on the website; however, you must still complete your weekly certifications confirming your continued lack of work.

What if I get a notification that my payment has been stopped or delayed? If you received a mailer or notice in your portal that benefits have been stopped due to a need for additional information, please go to the Claimant Homepage and look in the "ISSUES DELAYING PAYMENT" section.

If there *is* a link there that you can click on, then do so and complete any questions you see there. This will satisfy the request outlined in the notice you received. If staff have any additional questions for you, they will reach out to you. *(cont'd next page)*

If there *is not* a link there to click on, then staff have already taken care of the request based off the answers you provided on your application for benefits.

If this section is blank, then all issues have been resolved and you need to check your MyDocuments tab to see what mailers were most recently mailed out. This will give you your most up to date status.

I worked out of state. How does that affect my claim? If you worked out-of-state and have received a notice in the mail or your portal says your claim is zero, this means we are still waiting on wage verification from the other state. If you are unsure if the out-of-state employer was attached to your claim, we can escalate you to a claims-taker.

How can a claimant check on the status of their claim for unemployment insurance benefits? Once you have created an account in the Claimant Self Service Portal, you can log in to check the status of your claim or visit us at dew.sc.gov under the individuals tab. <u>Click here</u> for frequently asked questions about managing your benefits.

Economic impact payments: What you need to know

Check <u>IRS.gov</u> for the latest information: No action needed by most people at this time

The Treasury Department and the Internal Revenue Service announced on 3/30 that distribution of economic impact payments will begin in the next three weeks and will be distributed automatically, with no action required for most people. However, some seniors and others who typically do not file returns will need to submit a simple tax return to receive the stimulus payment.

Who is eligible for the economic impact payment?

Tax filers with adjusted gross income up to \$75,000 for individuals and up to \$150,000 for married couples filing joint returns will receive the full payment. For filers with income above those amounts, the payment amount is reduced by \$5 for each \$100 above the \$75,000/\$150,000 thresholds. Single filers with income exceeding \$99,000 and \$198,000 for joint filers with no children are not eligible.

Eligible taxpayers who filed tax returns for either 2019 or 2018 will automatically receive an economic impact payment of up to \$1,200 for individuals or \$2,400 for married couples. Parents also receive \$500 for each qualifying child.

How will the IRS know where to send my payment?

The vast majority of people do not need to take any action. The IRS will calculate and automatically send the economic impact payment to those eligible.

For people who have already filed their 2019 tax returns, the IRS will use this information to calculate the payment amount. For those who have not yet filed their return for 2019, the IRS will use information from their 2018 tax filing to calculate the payment. The economic impact payment will be deposited directly into the same banking account reflected on the return filed.

The IRS does not have my direct deposit information. What can I do?

In the coming weeks, Treasury plans to develop a web-based portal for individuals to provide their banking information to the IRS online, so that individuals can receive payments immediately as opposed to checks in the mail.

I am not typically required to file a tax return. Can I still receive my payment?

Yes. People who typically do not file a tax return will need to file a simple tax return to receive an economic impact payment. Low-income taxpayers, senior citizens, Social Security recipients, some veterans and individuals with disabilities who are otherwise not required to file a tax return will not owe tax.

How can I file the tax return needed to receive my economic impact payment?

IRS.gov/coronavirus will soon provide information instructing people in these groups on how to file a 2019 tax return with simple, but necessary, information including their filing status, number of dependents and direct deposit bank account information.

I have not filed my tax return for 2018 or 2019. Can I still receive an economic impact payment?

Yes. The IRS urges anyone with a tax filing obligation who has not yet filed a tax return for 2018 or 2019 to file as soon as they can to receive an economic impact payment. Taxpayers should include direct deposit banking information on the return.

I need to file a tax return. How long are the economic impact payments available? For those concerned about visiting a tax professional or local community organization in person to get help with a tax return, these economic impact payments will be available throughout the rest of 2020.

When will I get my check?

Payments have started. The IRS has released a tool called <u>Get My Payment</u>. Use this tool to update your direct deposit information & get the date your payment is scheduled to be deposited or mailed.

Scam Reminder

The IRS will **not** call to request any personal information for you to get an economic impact payment.

Where can I get more information?

The IRS will post all key information on IRS.gov/coronavirus as soon as it becomes available.

The IRS has a reduced staff in many of its offices but remains committed to helping eligible individuals receive their payments expeditiously. Check for updated information on IRS.gov/coronavirus rather than calling IRS assisters who are helping process 2019 returns.

Additional Help

Excerpt from National Alliance on Mental Illness' COVID-19 Resource & Info Guide

I'M HAVING FINANCIAL TROUBLE BECAUSE OF THE EFFECTS OF COVID-19. WHAT ASSISTANCE PROGRAMS CAN HELP ME?

General financial assistance

- The (CARES) Act provides financial assistance for both individuals and small businesses which are outlined in this pdf.
- Need Help Paying Bills: needhelppayingbills.com
 - Information on assistance programs, charity organizations, and resources that provide help paying bills, mortgage and debt relief (financial, rent and governmental assistance)
- Aunt Bertha: <u>auntbertha.com</u>
 - Online resource that connects users to free and reduced cost local resources such as medical care, food, housing, transportation, etc. Website can be converted to Spanish.
- 211 / 211.org
 - Referrals to agencies and community organizations that offer emergency financial assistance
 - To access:
 - Dial 211 from any phone, or
 - Visit 211.org and search for contact information by zip code
 - Website can be converted to Spanish
- HelpWhenYouNeedIt: <u>helpwhenyouneedit.org</u>
 - Nationwide listings of private and public resources for food pantries, stores that accept food stamps, assisted living facilities, domestic violence and homeless shelters, mental health and substance use treatment, free clinics and legal and financial assistance
- Help with Bills: <u>usa.gov/help-with-bills</u>
 - Information about government programs that help with bill payment, temporary assistance, jobs/unemployment, credit, etc. Website and Helpline also offered in Spanish.

Assistance with accessing food

- Feeding America is a national organization that operates food banks throughout various states to reduce hunger
- Although various school districts have closed, some are still providing free breakfast and lunch to children between the ages of 2-18. Check online with your local school district.

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Assistance with medical care/hospital bills

- The Assistance Fund: <u>tafcares.org</u>
 - Foundation providing patient advocates to help people get financial assistance or co-payments, prescriptions, deductibles, premiums and medical expenses. spanish translation service available.
- Rise Above the Disorder: <u>vouarerad.org</u>
 - Resources for finding a therapist, answering mental health questions and applying for grants to cover the cost of therapy
- Patient Access Network Foundation (PAN): panfoundation.org
 - Provides underinsured patients with financial assistance through disease specific funds that provide access to progressive therapies.
 Spanish-language calls accepted.
- Patient Advocate Foundation: <u>patientadvocate.org</u>
 - Helps federally- and commercially-insured people living with life-threatening, chronic and rare diseases. Offers co-pay relief program as well as other resources and services. Website also offered in Spanish.
- HealthWell Foundation: <u>healthwellfoundation.org</u>
 - Provides financial assistance for underinsured to afford critical medical treatments through "Disease Funds" (note, typically for chronic physical diseases—not mental health conditions). Website also offered in Spanish.

Assistance with prescription medication

- NAMI's advice for getting help paying for medications
- Medicine Assistance Tool: medicineassistancetool.org
 - Search engine for many of the patient assistance resources that the pharmaceutical industry offers
- Needy Meds: (800) 503-6897 / <u>needymeds.org</u>
 - Offers a HelpLine and information on financial assistance programs to help defray cost of medication. Website also offered in Spanish
- Rx Assist: <u>rxassist.org</u>
 - Directory of free and low-cost medicine programs and other ways to manage medication costs.
- Rx Hope: <u>rxhope.com</u>
 - Free patient assistance program to help people in need obtain critical medications
- GoodRx: goodrx.com
 - Online database that allows you to compare current prescription drug prices at pharmacies in order to find the lowest cost.
- USARX: <u>www.usarx.com</u>
 - Online coupons for downloading/printing. Can be brought to the pharmacy to see if it will give consumer a lower price.
- Blink Prescription Assistance: <u>blinkhealth.com</u>
 - o Individuals (with or without insurance) pay upfront for medication online and then take a voucher to their pharmacy. Accepts calls 8 a.m.-10 p.m. M-F, 9 a.m.- 7p.m. weekends (ET). Spanish language option by phone.



Timely Tips From the Pros

From Accountants & CPAs

- If you need help, apply for it even if you think you're ineligible
- If you're not sure ask your CPA, but some of your questions will be answered as you go through the processes.
- You can apply for both EIDL & CARES Act, but funding must be different items.
- For unemployment, you may need to use the phrase "I have no income due to the Coronavirus."
- Payroll taxes can be deferred to Jan 2021
- Your business will not receive both unemployment AND the PPP
- Self-employed? Unemployment will first tell you you're ineligible, but then they will reach back out later.

5 Tips for Success from the SBA & Reynolds Welding & Fabrication

- Find a great business mentor. (See Page #38 for local resources)
- Have a healthy view of competition. "We're not always competing. We're a competitor, but if a similar business has extra work, they'll send it to us and vice versa. That's the relationship we have."
- Record everything you do.
 Navigating business relationship in this age means keeping an email record of everything you do. Leave a clear paper trail.
- Sacrifice to ensure quality. "We don't cut corners. Sometimes you have to lose money to do quality work - it's rough, but nothing is more important."
- Seek SBA assistance to see if you qualify for business certifications.
 "We used to look for jobs. Now that we're on the SBA Subcontracting Networking database, SubNet, and sam.gov, we have a continuous flow of contractors reaching out to us.

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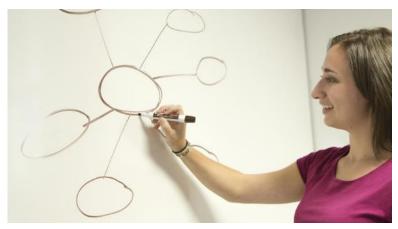
U.S. Small Business Administration Beware of Scams & Fraud

- 1.The SBA does not initiate contact on either 7(a) or Disaster loans. If you are proactively contacted by someone claiming to be from the SBA, suspect fraud.
- 2.The SBA does not provide grants to small businesses. The SBA provides guarantees to lenders to encourage them to make loans to small businesses. If you are contacted via social media about an SBA grant program for small businesses, suspect fraud.
- 3.If you are contacted by someone promising to get approval of an SBA loan but requires any payment up front or offers a high interest bridge loan in the interim, suspect fraud.
- 4.Look out for phishing attacks/scams utilizing the SBA logo. These may be attempts to obtain your personally identifiable information (PII) to obtain personal banking access, or to install ransomware/malware on your computer.
- 5.If you are in the process of applying for an SBA loan and receive email correspondence asking for PII, ensure that the referenced application number is consistent with the actual application number.
- 6.The SBA limits the fees a broker can charge a borrower to 3% for loans \$50,000 or less and 2% for loans \$50,000 to \$1,000,000 with an additional .25% on amounts over \$1,000,000. Any attempt to charge more than these fees is inappropriate.
- 7. Any email communication from the SBA will come from accounts ending with gov.
- 8. The presence of an SBA logo on a webpage does not guaranty the information is accurate or endorsed by the SBA. Please cross-reference any information you receive with information available at sba.gov.
- 9.If you have a question about getting an SBA disaster loan, call 800-659-2955 or send an email to disastercustomerservice@sba.gov.
- 10.If you have questions about other SBA lending products, call the SBA's Answer Desk at 800-827-5722 or send an email to answerdesk@sba.gov.
- 11. Report any suspected fraud to OIG's Hotline at 800-767-0385 or online.

Adapt & Overcome

Adapted from Constant Contact's Small Business Action Plan

While you've hopefully had some sort of disaster plan, no one could expect this. This pandemic is changing the way we do business and our daily lives. Fortunately small business owners are some of the most resourceful & resilient people we know. Now is the time to really be flexible and adaptable. Make a plan, get to work, focus on the good, and drop the bad.



What you already should be doing:

- ☐ Stay in communication w/ staff, customers, and supply channels
- Reduce hours to match staff availability
- Limit high-demand items to one or two per person
- ☐ Have a back up plan if you or key staff get sick
- How can you continue to support staff?
- ☐ How can you change your offerings to:
 - ☐ "Comfort" your customers
 - Be relevant if you close to the public (Can you offer pick-up, delivery, online options?)

What others are doing:

- Working from home
- Selling online
- Creating new take-home packages
- Moving in-person events & classes online
- Providing no-contact delivery or take-out services

Brainstorm solutions to the scary questions:

- What if I have to temporarily close?
 - Think about selling your wares, services, etc. online.
- Is your "temporary" plan sustainable? If so, for how long?
 - If no, how can you adjust your plan to become sustainable?
- What if this lasts months?
 - How does this affect your family & your staff & their families? How can you help?
 - How can you & your business maintain different types of income streams?

Don't forget your best practices:

- How are maintaining a long-term relationship with your customer? (ex: collect emails)
- Get & stay organized
- Stay productive, but take breaks, too. This is a stressful time, and you need to care for your mental health.
- WHY does what works well for you work? How can you recreate it?

Take note:

- Did the online store, new products, or new services get more traction than expected?
- Did having reduced hours turn out to be a great thing for you?
- Did online classes or work from home work out?



Back on Track | Business Tasks

If you're feeling overwhelmed and unsure of what actions to take during this time, here's some timeless go-tos that you can be working on that will help you sustain your business.

Protect Cash

Weed out unprofitable customers or customers that cost more to keep than they add to the bottom line. Flag slow payers – you don't have to extend credit to anyone. But, be nice about it. Send a polite, regretful note informing them that you cannot extend credit at this time and state the reason(s). Make it clear that they are welcome to transact in cash. (You can even offer cash discounts to sweeten the deal.)

See if Payments to Suppliers Can Be Extended

On the other side of the coin, check on the credit terms that your small business's suppliers allow. Most suppliers allow thirty days to pay but you may be able to get them to extend that term to sixty or even ninety days, allowing you to keep the money in your cash flow pipeline longer.

Renegotiate Contracts

Landlords, lenders, and contractors are not impervious to changing economic conditions so trying to renegotiate is worth a shot. Any debt can be worked out -- secured debt, loans guaranteed by the Small Business Administration, mortgages, lines of credit, and even leases.

Review Inventory Management

Streamline your product offering. Drop the extras and focus on what you do best that is most profitable to. Look for items that does not move or turn frequently. That's where your cash is locked up

Develop and Implement Strategies to Win the Competition's Customers

Offer something more or something different than the competition does. Research your competition by becoming one of their customers or follow them on social media and see what you can offer to entice their customers into becoming your customers.

Review Insurance Coverage

- Contact your insurance provider to review current coverage for such things as physical losses, flood coverage and business interruption.
- Understand what is covered and what is not.
- Understand what your deductibles are, if applicable.
- Consider how you will pay creditors and employees.
- Plan how you will provide for your own income if your business is interrupted.
- Find out what records your insurance provider will want to see after an emergency and store them in a safe place.

In other words, take this down time and review your coverage with your agent. Make sure you and your agent fully understand the needs of your particular business. Make changes that make sense!

Local Insurance Providers (Members)

Aflac Representatives: Doreen Brown 1-603-361-2578 Ronell Thompson 1-843-655-0560

Anchor Insurance and Financial Services, LLC 843-281-2889

Anderson Insurance, LLC 843-281-2889

Blue Cross Blue Shield 843-444-9068

Bubba Collins Insurance, Inc 843-280-2012

Duran Insurance & Tax Services 843-249-1079

Prudential - John Curtiss 843-582-9079

Rhonda Kitchen Aflac/NASB 1-801-866-8733

State Farm -Wyman Wise 843-399-9400

Customer Service

Providing better customer service is often touted as one of the easiest ways to outdistance the competition. Delivery, curbside pick up and new take out offerings have been a big hit. Restaurants and retailers like grocery stores, boutiques and book stores who were trying to be creative during the isolation should consider continuing these services. Even though we now can dine in and shop in store, consider offering these conveniences going forward. Restaurants and retailers might consider designating special pick up counters and/or parking spaces in their parking lots.

Ongoing Business Maintenance

Now that we have experienced the unprecedented that affected every business, monitor your operation. Schedule to audit your operations. Down turns in business are unavoidable, but if you plan ahead, your business can survive and grow stronger as a result.

- 1. Regularly assess the health of your business.
- 2. Re-adjust your products and services and the resources required as necessary.
- 3. Build a lean, efficient team and remind them that you appreciate them.
- 4. Listen to your employees' needs, and they will give discretionary effort for you.
- 5. Never stop thinking about how you can accomplish numbers 1-4 better and more efficiently.

If you follow these strategies, your business will be better prepared to survive any economic climate in the future.

Staying Connected With CustomersThrough the Coronavirus Outbreak

By: Nicole Fallon via <u>USChamber.com</u>

Your customers may be on self-quarantine, but that doesn't mean you can't stay connected and continue providing excellent service.



Over the last several weeks, consumers have grown increasingly panicked about COVID-19. Store shelves are depleted of goods like toilet paper and hand sanitizer. Schools are closing, offices are urging employees to work from home and small businesses that rely on foot traffic are seeing their in-store sales take a hit.

If you've noticed a drop in patrons, you're not alone. According to the NFIB Research Center, nearly one-quarter of small business owners say the coronavirus outbreak is negatively impacting them in the form of slower sales (42%), supply chain disruptions (39%) and sick employees (4%). However, in our digital world, there are plenty of ways to stay connected to your customers through this pandemic and keep your business going through it.

brick-and-mortar businesses looking to keep their audience engaged and in the loop, even if they're self-quarantined or avoiding public places.

Let customers know what you're doing to prevent the spread of COVID-19

Send an email to your customers and post signage in your store to assure them that you're doing everything you can to protect their health when they visit your store. Share any increased cleaning, disinfecting and hygiene protocols you're following, and let them know that you are enforcing self-quarantine among any employees who might be experiencing symptoms. If you are altering your hours or closing your store for a deep-clean, you should let your customers know that, too.

Increase your social media presence

Your customers are already on social media, but these days, they are likely checking in much more frequently to get the latest updates on the virus. Whether you're posting about the virus specifically or trying to offer light, positive content to help take people's minds off the panic, it can be helpful to increase your posting frequency to ensure you are showing up in their news feeds.

Here are a few smart strategies for

Offer online deals

If your business already has an e-commerce component, remind customers that they can still shop for their favorite items on your website. It might even help to offer a coupon or discount to encourage online shopping while your customers are staying home anyway.

If you operate a service-based business like a restaurant or a salon, you may want to consider offering online sales of gift certificates. Encourage your customers to buy a certificate now, so they can treat themselves and redeem it when the virus outbreak has slowed and their self-quarantine period is over. This can help maintain sales for you, while giving your customers something fun and exciting to look forward to.

Stock up on sanitizing products and make sure people know where to wash their hands

For those customers who do come into your store, it's important to enforce good hygiene practices and encourage everyone who passes through your doors (customers and employees alike) to follow the Centers for Disease Control and Prevention's recommendations for preventing the spread of COVID-19.

If your store has a restroom for customer use, put up extra signs pointing them in the right direction to wash their hands, and post the CDC's guidance in the restroom. If not, you may wish to offer hand sanitizer near the front of the store for customer and employee use.

Focus on serving your customers through digital channels

You may already offer phone and email support to your customers, but now is the time to increase your customer service capabilities and ensure your patrons can reach you — no matter where they are. Social media is a good place to start, as you can offer the option to chat via Facebook Messenger, WhatsApp and other instant messaging platforms. You can also offer video conferencing options through Skype or FaceTime, so your customers can get that "face-to-face" feel without actually being there in-person.

Full article at uschamber.com/co/grow

Make your chamber membership part of your plan.

Use the following ideas to compliment what you're already doing on your channels. Be sure to consider the recommended messages (see page 65).

Included in your membership:

- Update your business directory listing
- Post deals, job openings, news releases, and events
- Ask us to share your Facebook post
- Email to members (eBlast)

A la carte options:

- eNewsletter ads
- Website banner ads
- Sponsored blog post



Don't stop advertising

You should probably change your message, and you might change how you're advertising, but if you're open then you shouldn't drop all of your advertising efforts. Reviewing your marketing strategies can help you come up with new ideas to increase sales & find better ways of using your marketing dollars.

105.9 Easy Radio

843-903-9962 x102

Radio Advertising

94.9 The Surf

843-663-9490

Radio Advertising

Beach Scene Magazine

843-272-1919

Digital Advertising

Boulineau Outdoor Media

843-663-6923

Billboard Advertising

Colonial Media & Entertainment

843-945-3292 x1

- Radio Advertising
- Event Marketing
- Full Ad Agency Consulting

DBC Radio

843-448-1041 x230

Radio Advertising

Greyphin Consulting, LLC

843-249-6588

- Website design and development
- Search Engine Optimization (SEO)
- Google Advertising
- Social media content creation and posting
- Facebook Advertising
- Email marketing campaign creation
- Copywriting
- Logo Design

iHeart Media

843-293-0107

Digital Radio Advertising

Lamar Advertising Company

843-236-1993

Billboard Advertising

Myrtle Beach Guide & Bucks

843-626-0150

Print Advertising

NMB Times

843-249-3525

Local Newspaper Advertising

North Strand News

843-488-7254

- Newspaper ads
- Digital ads

Printing By Designs

843-399-0105

Printing services

SEA Server

843-602-4111

Website Design & Hosting

Signarama of Myrtle Beach

843-444-5544

- Custom signage (interior & exterior)
- Banners
- Vehicle lettering & more

"It's OK to market your business and make money during a crisis. You can still help your customers without taking advantage of them."

Local Advertisers (Cont'd)

Soaring Coast Creative

770-616-9865

Aerial photography & videography

Southern Tide Media

843-272-7770

- Creative Design Services
- Web Design & Development
- Paid Search Marketing
- Email Design & Marketing
- Social Media Marketing

Springer Press

843-457-6676

- Printing services
- Promotional Products

Sunny Day Guide

843-222-8284

Print Advertising

The Coastal Insider

843-232-0000

Local Newspaper Advertising

The Sun News

843-626-8555

Local Newspaper Advertising

Town Planner

843-997-3131

Event Marketing

UPS Printing, Marketing, & Design

614-266-4624

Printing, Mailing, & Sign Services

WLSC Tiger Radio

843-756-5225

Radio Advertising

Message Ideas

Your Unique Selling Proposition

Ask yourself: What do I do that no one else does? What is my unique story? How can this be made different from my competitors? What does the customer want? What is the main reason my customers buy from me? How can I exceed expectations?

Competitive Advantage

What sets your business apart from your competition?

Deals and Discounts

If you are offering discounts to lure customers back to your business, promote it. It doesn't do any good if no one knows about it.

Customer Loyalty Programs

Develop a customer loyalty program. Whether it is a punch card that gives a customer something for free after so many visits or all you can get for a monthly fee, or create something that recruits loyal customers. Try a price fix offering like a lunch special or multi-course lunch/dinner for one price. For a service industry business, it could be a monthly or annual maintenance contract or a free check up or consultation.

What you're doing different?

People want to know if you're open & what you're doing different. Whether it's hours, offerings, etc. - let people know.



Returning To Work

Editorial by <u>US Chamber</u>

What will a return to work look like? It is a question that begs more questions. But this much is increasingly certain: returning to work will be gradual, phased-in, and will vary by factors such as location, sector, business type or size, and the health status of workers. It also will require continued social distancing, expanded use of personal protective equipment, and other counter-measures. Whenever the return to work begins, the planning for it must begin now.

Essential Services and Resources

Bringing employees back to work and reopening commerce will require that certain essential services and resources are in place. These include:

General Health Screening

The CDC has recommended that critical infrastructure employers screen certain exposed employees for temperature, ideally before entering the facility. If this recommendation is expanded to cover all employees and potentially customers, employers will have to acquire temperature checking equipment and develop a process to screen individuals. Early and federally consistent guidance as to what will be expected is critical because it will take time to acquire equipment and establish protocols.

COVID-19 Testing

To the extent that return to work is based on the testing of employees either for the COVID-19 virus or antibodies to COVID-19, there will have to be sufficient testing capacity, as well as clear resolution on who is responsible for administering the tests, paying for the tests, and checking test results. Most employers are not well-positioned to administer these medical tests, so there must be widely accessible third-party providers. There also will need to be standardization as to when employees need to be tested, the frequency of tests (especially important if testing for infection, rather than antibodies), and the documentation employees will provide to employers. Frequent testing could be especially costly, and it should be determined who will bear those costs.

Personal Protective Equipment (PPE)

If public health professionals recommend widespread use of PPE, such as masks, it will require clarity as to what is needed and who is responsible for providing such equipment, especially if shortages persist. For example, with respect to certain employees in critical infrastructure, the CDC has said: "Employers can issue facemasks or can approve employees' supplied cloth face coverings in the event of shortages." However, the purpose of these masks should be made clear as many are not rated for protecting the wearer and employers asking employees to wear them should not be held liable if an employee contracts COVID-19 while wearing such a mask.

Transportation

Approximately eight million Americans rely on public transportation to get to and from work each day. Public transportation is most efficient when it maximizes density, which needs to be avoided to preserve social distancing. While staggered worktimes can help spread out the rush hour, transit systems likely will need to operate at what would normally be excess capacity in order to support public health. Transit systems will likely require some form of financial assistance to support a safe return to work.

Childcare

Throughout the United States, many childcare providers that are still operating are primarily only caring for the children of essential workers. They also have implemented various public health recommendations to increase social distancing, such as lowering teacher-child ratios. In order to allow other parents to return to work, childcare providers will need to presumably operate under sub-optimal financial conditions: below previous capacity levels (as not all employees will return to work at once) and with increased costs (to maintain social distancing and accommodate staggered work times). Childcare providers will likely require some form of temporary financial assistance in recognition that they will need to operate at a loss in order to allow parents to return to work.

Resolution of Regulatory and Legal Liability Issues

A reopening plan that is medically based and relies on social distancing and other best practices for public health may raise significant regulatory and legal liability risks. These are in addition to numerous lawsuits already filed as a result of COVID-19 and litigation risk that will become exacerbated during a reopening. Issues include:

Health Privacy

Federal and some state laws are designed to maximize the health privacy of individuals. However, this objective could conflict with potential reopening requirements for employers to verify an employee's COVID-19 status and/or their vulnerability due to underlying health conditions. Employer efforts to protect other employees and conduct contact tracing in the workplace after an individual has tested

positive could be slowed by obligations to protect the infected individual's health privacy. In addition, confidentiality requirements could prevent businesses from narrowly focusing their contact tracing so as to balance workforce safety while minimizing business interruption. During the COVID-19 national emergency and recovery period, employers will need a broad safe-harbor to make necessary inquiries regarding health status and to make certain limited disclosures to prevent the spread of the disease.

Discrimination Claims

Employers who conduct a medically-based or risk-based reopening (using factors such as age or underlying health conditions) may face liability under existing anti-discrimination rules, including the Age Discrimination in Employment Act and the anti-discrimination provisions of the Americans with Disabilities Act. In addition, employers could face claims for adverse employment actions by employees who are delayed in returning to work or who feel they are not provided other reasonable employment accommodations. At the same time, employers can likewise face liability if they return at-risk employees to work too soon. There is a need for clear guidance about what practices are acceptable in conducting a medically-based or risk-based reopening and provide a safe harbor for actions taken by employers consistent with those guidelines.

Safe Workplace Requirements

Generally, when maintaining a safe workplace requires the use of personal protective equipment (PPE) such as masks, respirators, and physical barriers, OSHA requires employers to be responsible for ensuring the availability of such equipment and training employees on the use of the equipment. This is simply not possible if PPE becomes recommended in all workplaces. The federal government should make clear that PPE recommended specifically to combat the spread of COVID-19 is not subject to the normal OSHA requirements around workplace PPE.

Employers also may face lawsuits around the limited supply of or training for PPE. Worker's compensation issues dealing with shortages of PPE or its incorrect use are also likely to emerge. The federal government should clarify the scope of liability for the provision (or inability to provide due to scarcity) of PPE.

Support for Independent Contractors

More than 23 million Americans receive income as independent contractors in fields as varied as construction, news reporting, professional services, and online-platform-enabled work. Businesses want to be able to provide the same type of workplace protections to independent contractors as they do for employees. However, doing so could be used to argue that the individual has ceased to be an independent contractor and is instead an "employee." Congress should settle this

tension by creating a safe harbor that would allow businesses to implement health practices and provide benefits, including PPE, without establishing a formal employment relationship for the duration of the COVID-19 return to work transition.

Employment Practices

Employers already are facing litigation regarding employment practices related to the pandemic. This includes class actions in the transportation industry regarding employees' scope of work and travel destinations. Employers also could face liability around wage-and-hour issues (for example: Are employees compensated while getting tested or passing through screening?), leave policy, travel restrictions, telework protocols, and worker's compensation. In addition, employers could risk legal actions if they do not accommodate employees who either insist on returning to work even though they have not completed health screenings or are high risk, or who refuse to return to work and provide adequate support for such refusal. There should be a safe harbor for temporary employer-implemented workplace policy changes designed to combat the spread of the coronavirus.

Another source of liability are charges against employers forced to lay off workers in response to social distancing policies and government-mandated closures. The federal WARN Act and many similar state laws require employers comply with procedural requirements, including notice to employees in the event of layoffs. California Governor Gavin Newsom issued an executive order on March 17, 2020 that suspended some requirements under California's WARN Act and ordered the state's labor agency to issue guidance on the suspension. Policymakers should implement similar statutory and/or regulatory changes designed to limit the application of the WARN Act for COVID-19 related layoffs.

Exposure Liability

This is perhaps the largest area of concern for the overall business community. It encompasses multiple types of claims that could be brought against business that have been designated as "essential" as well as large swaths of the remaining business community once the economy is reopened. The core component of claims in this category is that a customer/employee/patient/member of the public/etc. was exposed to COVID-19 in a business facility or as the result of a business' particular action, or failure to act, and then that claimant became sick. The legal theories underlying these claims may range from simple negligence to strict liability to public nuisance, which the plaintiffs' bar could try to pursue through contingency fee arrangements with cash-strapped states and municipalities. Depending on the legal theory underlying the claim, proving causation may be a challenge for plaintiffs. If enough claims are brought, the scope and magnitude of the litigation still may exert enough pressure to threaten businesses or industries with bankruptcy. The threat of exposure-related lawsuits also will deter some businesses from reopening even after it is determined ⁶⁹

that they could safely operate by following the guidance of appropriate health authorities.

Reforms to address these types of claims are largely dependent on which legal theory underlies a particular claim. For example, in the negligence space, providing a safe harbor for companies following CDC or state/local health department guidance could be helpful so long as the companies' actions do not amount to gross negligence, recklessness, or willful misconduct. Procedural reforms such as channeling certain claims into federal court rather than allowing them to remain in various state courts could be helpful. Prohibiting or tightly circumscribing public nuisance claims also could be useful. Finally, policymakers should look to the reforms contained in prior economy-wide federal legal reform laws, such as the Y2K Act for guidance.

Product Liability

Makers of certain products/devices/equipment to either protect against, treat, or test for COVID-19 may not have sufficient protection against speculative litigation. While the PREP Act currently provides protection against some types of liability for some categories of key "countermeasures," it does not cover others. For example, while respirators are now covered by the Act, hand sanitizers, soaps and other key cleaning supplies are not. Furthermore, the Act does not provide protection outside key healthcare-related spaces. For example, a non-healthcare provider business that provides PPE to its employees or uses recommended cleaning products does not receive any protections under the PREP Act. The list of product types covered by the PREP Act should be expanded to include widely recommended protective products such as hand sanitizers and cleaning supplies. In addition, the Act could be expanded to cover additional categories of users and providers of essential countermeasures.

Medical Liability

There is increasing concern about medical liability claims being brought against healthcare providers and facilities caring for COVID-19 patients. For example, the plaintiffs' bar could try to bring medical liability/malpractice claims arising from care decisions, lack of care due to equipment shortages, as well as mistakes due to long hours or staff shortages. Also of concern are lawsuits brought against nursing homes and assisted living facilities for allegedly failing to protect residents/patients from contracting COVID-19. Healthcare facilities could be forced to ration care and make difficult decisions about who does and does not receive specific types of treatments, and each of those decisions has the potential of becoming a lawsuit. In addition, there are liability concerns about claims brought by non-COVID-19 patients who allege that they did not receive the appropriate standard of care due to the influx of COVID-19 patients that a healthcare facility or provider was required to treat.

At the federal level, the CARES Act provides some liability protections for volunteer healthcare providers caring for COVID-19 patients. The CARES Act language should be expanded to include all healthcare providers and facilities (not just volunteers). In addition, significant state-level COVID-19 medical liability statutes, such as one New York recently enacted, could serve as a model for a preemptive federal fix in this area.

Securities Litigation

Securities class actions already have been filed against businesses impacted by the coronavirus—such as those in the cruise line and pharmaceutical sectors—based on stock-price drops resulting from the impact of the virus and claims that companies should have been warning investors about the potential consequences if the world was faced with an unprecedented pandemic. In addition, securities litigation also has been filed related to data privacy concerns for certain video conferencing platforms that have increased in popularity due to the increased use of teleworking because of COVID-19 stay-at-home orders. An automatic stay should be placed on securities litigation cases arising out of or related to the COVID-19 emergency until after the President's declaration of a public emergency has been rescinded. In addition, these types of securities cases could be consolidated into one or a few federal district courts for efficiency purposes. Also, defendants in these cases should be allowed to have interlocutory appeal rights for the denial of a motion to dismiss and plaintiffs should have to plead with particularity all the elements of their claim in these cases; and all discovery should be stayed until after the motion to dismiss stage of the litigation. Finally, it is worth considering a cap on damages in COVID-19 related securities lawsuits.

Customer Communications

Businesses have an enhanced need during the COVID-19 emergency to communicate to customers via telephone and text messages regarding operating status, restricted access, and other issues. However, the threat of litigation under the Telephone Consumer Protection Act (TCPA) can cause a business to limit the use of the important informational phone calls and texts. Approval of a pending petition at the FCC to expand the type of communications subject to an emergency exemption due to the COVID-19 situation would be helpful.

False Claims Act

Cases brought under the federal False Claims Act (FCA) can impose significant liability on entities receiving federal funding or contracts and these types of liability concerns have the potential of slowing down relief under the CARES Act and any future relief measures. In the FCA space, the Small Business Administration's Interim Final Rule implementing the paycheck protection loan program under the CARES Act does contain very helpful hold harmless language for financial services providers; to more fully effectuate that language a memorandum of understanding between the SBA and

the Department of Justice (DOJ) regarding how DOJ will approach FCA litigation under the CARES Act loan program would be extremely valuable and similar reforms also should be implemented for any future relief measures.

Support for Businesses and Individuals

The federal government took unprecedented steps to support employers and individuals during the current shutdown. These programs will need to be modified and to some extent extended and targeted to assist those businesses and individuals who will remain under distress during a phased or gradual reopening.

Businesses Dependent on High-Density Gatherings or Travel

Entertainment venues, restaurants, bars, companies that host meetings and events, and many other businesses are only profitable when they achieve the type of occupancy and density that is not possible during social distancing. In addition, many businesses rely on business, trade show, and personal travel that may be greatly reduced based on social distancing guidance. A gradual or phased reopening that restricts the size of gatherings or limits travel may technically permit these businesses to reopen but this will mean operating at a significant loss. During the period where occupancy and gatherings are numerically restricted, these businesses should be provided with bridge assistance to enable them to remain viable.

Individuals Delayed in Returning to Work

Until there is a widely available vaccine, or at least a widely available effective treatment for those who fall ill, not everyone will be able to resume normal work activities. High risk populations will need to engage in social distancing or even remain at home entirely. Individuals, including independent contractors, who must stay home because of their risk profile will need ongoing financial support if they cannot work remotely. This may require an extension of regular unemployment insurance or the creation of a new "high risk" unemployment insurance system.



Grand Reopening ideas to make a splash

While there's some legit talks on how everyone's new normal will change, We want to hope for the best & start thinking about what happens when you re-open, and how you can stand out when you do.

Build buzz with social media. We researched a lot of our business friends FB pages during the pandemic in order to provide resources. We found more than a few who haven't updated their pages in quite some time. Businesses whose last post was over a year ago and a couple whose most recent post was, "Merry Christmas." Take the time to use this tool. If we were looking, how many others were, too? Partner with another business. Find another business who compliments yours. Use your collective resources to promote each other. Cross promotion with table tents, fliers, etc. Partnering could be similar or complementary business types or by geographic location.

Attempt to break a record. Whether or not the record gets broken, it is a good hook for publicity. Check out the Guinness Book of World Records for some (whacky) ideas. Don't forget traditional media channels. Our friends in our local media outlets really stepped up during the pandemic to promote alternate forms of delivering your service. They are still out there to help us get back into business.

Organize A Fundraiser. Partner with a local charity to raise funds for their endeavors to bring the socially conscious to your grand opening. Pick a cause that is near and dear to your heart — or that benefits your local community — and donate the money from your grand opening to that organization. There is a lot of options out there right now.

Harness The Power Of Nostalgia. Decades past are a huge draw for many people. Harness the power of nostalgia and bring more people to your grand re-opening by holding a 70s, 80s, or 90s-themed grand opening. You could go back to the decade when your business was established or just pick one for fun! The chamber held a Gatsby inspired 1920's theme for our Chairman's Gala to celebrate our new decade.

Reopening ideas(con't)

Pick A Theme. Theme parties are all the rage right now. You can use that popularity to your advantage by organizing your grand re-opening around a theme, like a favorite TV show or movie.

Offer Something For The Kids. If your business caters to families, be sure to offer something for the kids. Clowns, bounce houses, caricature artists — activities like this give children of all ages something to do while the adults check out your business.

Give Guided Tours. Guided tours are a unique opportunity for people to see behind the scenes of your new business. Schedule tours for every hour or half-hour during your grand opening to give people a thorough introduction to what you have to offer.

Offer A Demo or Workshop. If you offer a useful product, it could be a good idea to show why your product is so valuable and how to use it to get the best results. In other words, host a demo of your products or services. For example, if you operate a spa, offer complimentary hand massages to your guests, or if you are a gym, demonstrate what a personal training session entails. You could also teach people hands-on activities, such as a workshop, that can be practical and enjoyable, i.e. a restaurant could do a cooking demo on a favorite menu item.

Make It A Weeklong Celebration. If you really want to go all out, you can turn a grand re-opening day into a grand opening week. By advertising and hosting a different event every day for a week, you can get five to seven times the foot traffic. You can also attract a wider portion of your target audience since different people are interested in different events and schedules vary by person.

A great, exciting idea for your grand opening is sure to set you up for success down the line. Don't miss the opportunities that such a special event can open up for your small business!

Gameplan

If everything was okay tomorrow, what do you need to get done to get your business back on track? **Reach out to suppliers:** Let my customers know I'm open (social media, website, phone message, etc) How will I recall staff? In stages or all at once?



STRENGTHENING COMMUNITIES GLOBALLY

Research indicates that 43% of businesses never reopen after a disaster, and 25% of business that do, fail within a year. "Resilience in a Box", and all of its resources, is designed to provide the most effective ways to increase your ability to survive and thrive after any disaster such as a flood, earthquake, power outage, etc. Complete this self-assessment to rate your business' readiness here!

HAVE YOU:

key contacts?

| Assembled a "team" of individuals within the business who know key operations and can provide important perspectives when planning for and responding to disasters? |
|---|
| Assigned someone to lead business disaster planning efforts for your business? |
| Organized all your critical documents and information so they are easily accessible when needed most? |
| Identified and prioritized which business operations are critical so you know what to recover first, second, etc.? |
| Identified the possible hazards (natural and man-made which could interrupt your business? |
| Developed continuity or emergency procedures so you can continue to provide products or services after a disaster (e.g. we cannot access our building, need a generator, etc.)? |
| Made accessible all important data or files for decision-making if you were unable to access your facility, e.g. after a fire? |
| Maintained updated emergency contact information for |



HAVE YOU:

| Trained employees to assist (e.g. respond to injuries, evacuate building) when an emergency occurs? |
|---|
| Maintained emergency supplies for your businesses to address immediate needs, such as if employees are unable to go home? |
| Encouraged employees to be prepared at home? |
| Regularly backed-up your data? If YES, also store your data back-ups offsite? |
| Taken steps to safeguard against potential damage to your equipment, buildings or facilities? |
| Protected inventory/storage from theft, loss or damage during an earthquake, fire, water pipe break, etc.? |
| Maintained procedures to communicate after a disaster with employees, suppliers, vendors, customers, and the public? |
| Put a current continuity/emergency/disaster plan in place? Tested it regularly? |
| Updated it at least annually? |
| Established partnerships with other businesses, government and/or community organizations that can serve as resources when the next crisis arrives? |

RATE YOUR READINESS!

v = 2

How ready is your business? Tally your score and see the back page to see where your business stands!





SCORE OF 0-20:

Your organization is unnecessarily at risk of interruption. The good news is you can start using the "Resilience in a Box" resources now with easy and nocost solutions to assist you

SCORE OF 21-32:

Your organization has taken some preparedness steps. You are at less risk, yet room to improve using the "Resilience in a Box" resources

SCORE OF 33-40:

Your organization is better prepared than most (possibly even your competitors) and there are simple resources to address any gaps, such as those in the "Resilience in a Box"

RESILIENCE IN A BOX 2017 ©

The "Resilience in a Box" resources have been developed to help you take necessary actions to address your vulnerabilities so you are more resilient after the next power outage or any type of disaster. Use "Resilience in a Box" to begin protecting your business today.



RESILIENCE IN A BOX IS MADE AVAILABLE THROUGH A PARTNERSHIP WITH:







We hope that you picked up a few tips that are helpful to Getting You Back in Business. Curating these resources has been a learning experience for us at the Chamber as well. We are taking a lot of our own advice and hope that as we emerge from this we are stronger, more humble and better prepared for whatever the are stronger, we will continue to update resources and make future holds. We will continue to update resources and make them available to you. So stay tuned. We are not going to become complacent as we heal financially, but are planning for unknown contingencies.

Join us as we become a stronger organization and society.
Together we can make our community thrive!

